

Codebook for Flavored Tobacco Rubric

2024

This codebook provides explanatory information about the questions, response options, scores, and scoring criteria in the [Flavored Tobacco Rubric](#) so that PETS users can better understand how the rubric provides the rationale for analyzing and grading California’s local tobacco prevention policies.

The Coder Instructions below provide an overview of the rigorous analysis guidelines used by PETS analysts to inform the analysis and scoring of every tobacco prevention policy against each rubric question.

Scoring Criteria

The [Flavored Tobacco Rubric](#) questions, response options, scores, and scoring criteria were developed and reviewed by tobacco prevention policy experts at ANRF in consultation with CTPP and the PETS Advisory Committee, including attorneys with expertise in local tobacco prevention policy language. Model policy language referenced in the development of the Comprehensive Sales Rubric is from The Law and Policy Partnership to End the Commercial Tobacco Epidemic's [California Comprehensive Tobacco Retailer Licensing Ordinance \(2020\)](#), and ChangeLab Solutions’ [Model Ordinance: Comprehensive Tobacco Retailer Licensing \(2019\)](#).

Rubric language that is crossed out (e.g. Q12a) indicates that PETS analysis is temporarily not being done on these questions and thus data is not yet available for these fields. PETS will resume analysis and data collection on these questions at a future date.

Item	1. Does policy end the sale of <u>all</u> flavors of <u>all</u> products in <u>all</u> locations? If yes, skip to question #9.
Category	Restrictiveness
Response Options & Scores	<ul style="list-style-type: none"> • Yes=78 • Partial/No=0
Total number of points	78
Coder instructions	<p>Yes = The policy prohibits the sale of all flavored tobacco and electronic smoking device (ESD) products, including menthol explicitly or by implication, in all venues without exception.</p> <p>Partial = The policy prohibits the sale of flavored tobacco products only in certain circumstances, or restricts flavored ESD sales in some manner (maybe even entirely) but not tobacco sales. Policies marked Partial will have the restrictions detailed in subsequent questions.</p> <p>No = The policy does not restrict the sale of flavored tobacco/ESD products.</p> <p>Note: For Q1, a response of Yes receives 78 points because it incorporates the maximum points values of Qs 4-8, which detail coverage of different types of flavored tobacco and ESD products. If Q1</p>

	= Yes, there is no need to analyze Qs 2-8 because the sale of these products is prohibited. Qs 2 and 3 are Tracking questions and do not have a points value, thus these two questions do not factor into calculating the total of 78 points.
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Item	2. Does policy end the sale of <u>all</u> flavors of <u>all</u> products in <u>all</u> locations except in adult-only/ specialty retailers?
Category	Tracking
Response Options & Scores	Yes; No
Total number of points	0
Coder instructions	<p>Yes = Q1 is Partial and the only exemption in the policy is to exclusively allow the sale of flavored tobacco products at adult-only/specialty retailers.</p> <p>No = Q1 is Partial and the policy contains exemption(s) that are anything other than exclusively an adult-only/specialty retailer exemption.</p>

Item	3. If there is any type of adult-only/specialty retailer exemption in the policy, are they required to have a certain percentage of revenue from regulated product sales, in order to qualify for the exemption?
Category	Tracking
Response Options & Scores	Yes; No
Total number of points	0
Coder instructions	<p>Yes = The policy specifies a percent of flavored product sales required, at minimum, to qualify for any adult-only/specialty retailer exemption for flavored product sales. Use the text field in Q3a to specify the minimum percent.</p> <p>No = The policy does not specify a percent of flavored product sales required, at minimum, to qualify for any adult-only/specialty retailer exemption for flavored product sales.</p>

Item	3a. If Yes, specify percentage.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	If Q3 = Yes, then use the text field to specify the minimum percent.

Item	4. If #1 is "Partial" or "No": Does the policy end the sale of ALL menthol-flavored tobacco leaf products (including but not limited to cigarettes, all cigar forms, snuff, chew, snus, heated products, shisha/hookah) in ALL venues/locations, with no exemptions? If there are exemptions, address all sub-questions below.
Category	Restrictiveness
Response Options & Scores	<ul style="list-style-type: none"> • Yes, without exemptions=20 • Menthol exemption(s) for certain locations (e.g. adult-

	<p>only/specialty tobacco retailers/tobacco bars)=12</p> <ul style="list-style-type: none"> • Menthol exemption(s) for retailers outside buffer zone=5 • Any type of menthol flavored tobacco leaf product exempt (e.g. cigarettes, cigarillos, shisha/hookah, etc.)=0 • Other/No =0 <p>(If more than one of these exemptions applies, choose the exemption that awards the fewest points.)</p>
Total number of points	20
Coder instructions	<p>Yes, without exemptions = The policy prohibits all menthol tobacco leaf product sales.</p> <p>Menthol exemption(s) for certain locations (e.g. adult-only/specialty tobacco retailers/tobacco bars) = The policy restricts menthol tobacco leaf product sales in some manner, but permits such sales in certain venues, e.g. specialty retailers, and/or smoking lounges, and/or bars, etc.</p> <p>Menthol exemption(s) for retailers outside buffer zone = The policy restricts menthol tobacco leaf product sales in some manner, but permits sales outside of a buffer zone of some sort.</p> <p>Any type of menthol flavored tobacco leaf product exempt (e.g. cigarettes, cigarillos, shisha/hookah, etc.) = The policy restricts menthol tobacco leaf product sales in some manner, but exempts one or more types of menthol tobacco leaf product(s), such as cigarettes, smokeless tobacco, cigars, etc.</p> <p>Other = The policy restricts menthol tobacco leaf product sales in some manner, but provides for some exemption other than, or in addition to, a product exemption, a buffer zone provision, and/or specialty retailer/lounge exemption.</p> <p>No = The policy has no restrictions on the sale of menthol tobacco leaf products.</p> <p>Note: Q4 applies specifically to menthol flavored tobacco leaf products. Tobacco leaf products are defined as products containing tobacco leaf, including but not limited to cigarettes, cigars, cigarillos/little cigars, snuff, chew, snus, heated products like IQOS, and shisha/hookah. Q4 does not apply to the sale of menthol flavored ESDs or non-tobacco nicotine products like Zyn, which do not contain tobacco leaf and are addressed in Q5 and Q8 respectively.</p> <p>If more than one of these exemptions applies, choose the exemption that awards the fewest points.</p>

Item	4a. Does the policy end the sale of menthol cigarettes?
Category	Tracking
Response Options & Scores	Yes; Partial; No
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of menthol cigarettes.</p> <p>Partial = The policy partially prohibits the sale of menthol cigarettes.</p>

	Address Q4a sub-questions if this option is chosen. No = The policy has no restrictions on the sale of menthol cigarettes.
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Item	4a1. If Partial, are adult-only/specialty tobacco retailers required to end the sale of menthol cigarettes?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of menthol cigarettes in adult-only/specialty retailers.</p> <p>No = The policy does not prohibit the sale of menthol cigarettes in adult-only/specialty retailers.</p> <p>Not Specified = The policy does not address the sale of menthol cigarettes in adult-only/specialty retailers.</p>

Item	4a2. If Partial, are tobacco bars/lounges required to end the sale of menthol cigarettes?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of menthol cigarettes in tobacco bars/lounges.</p> <p>No = The policy does not prohibit the sale of menthol cigarettes in tobacco bars/lounges.</p> <p>Not Specified = The policy does not address the sale of menthol cigarettes in tobacco bars/lounges.</p>

Item	4a3. Does the policy omit a buffer zone provision for menthol cigarettes?
Category	Tracking
Response Options & Scores	Yes (no buffer zone); No
Total number of points	0
Coder instructions	<p>Yes (no buffer zone) = The policy does not have a provision that permits menthol cigarette sales beyond a “no sales” buffer zone.</p> <p>No = The policy permits menthol cigarette sales as long as they occur beyond a buffer zone of some sort. Use text field in Q4a3a to specify the parameters of the buffer zone (feet from venue).</p> <p>Note: If Q4 is “Menthol exemption(s) for retailers outside buffer zone,” then the policy restricts menthol tobacco leaf product sales in some manner, but permits them outside of a buffer zone of some sort. This question 4a3 captures whether the policy has a buffer zone specifically for menthol cigarette sales.</p>

Item	4a3a. If there is a buffer zone, specify parameters.
Category	Tracking

Response Options & Scores	Text field
Total number of points	0
Coder instructions	If Q4a3 = No, then specify the number of feet from specified venue(s), for example 1,000 feet from schools or 500 feet from libraries.

Item	4a4. If Other Partial, specify.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	Use this text field to indicate that menthol cigarette sales are prohibited in some manner other than or in addition to specialty retailers, tobacco bars/lounges, and/or buffer zones.

Item	4b. Does the policy end the sale of menthol-flavored noncombustible tobacco leaf products?
Category	Tracking
Response Options & Scores	Yes; Partial; No
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of menthol-flavored noncombustible tobacco leaf products.</p> <p>Partial = The policy partially prohibits the sale of menthol-flavored noncombustible tobacco leaf products. Address Q4b sub-questions if this option is chosen.</p> <p>No = The policy has no restrictions on the sale of menthol-flavored noncombustible tobacco leaf products.</p> <p>Note: Menthol-flavored noncombustible tobacco leaf products are smokeless tobacco products containing tobacco leaf that are not combustible, including but not necessarily limited to chew, snuff, and snus.</p>

Item	4b1. If Partial, are adult-only/specialty tobacco retailers required to end the sale of menthol-flavored noncombustible tobacco leaf products?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of menthol-flavored noncombustible tobacco leaf products in adult-only/specialty retailers.</p> <p>No = The policy does not prohibit the sale of menthol-flavored noncombustible tobacco leaf products in adult-only/specialty retailers.</p> <p>Not Specified = The policy does not address the sale of menthol-flavored noncombustible tobacco leaf products in adult-only/specialty retailers.</p>

Item	4b2. If Partial, are tobacco bars/lounges) required to end the sale of
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	menthol-flavored noncombustible tobacco leaf products?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of menthol-flavored noncombustible tobacco leaf products in tobacco bars/lounges.</p> <p>No = The policy does not prohibit the sale of menthol-flavored noncombustible tobacco leaf products in tobacco bars/lounges.</p> <p>Not Specified = The policy does not address the sale of menthol-flavored noncombustible tobacco leaf products in tobacco bars/lounges.</p>

Item	4b3. Does the policy omit a buffer zone provision for menthol-flavored noncombustible tobacco leaf products?
Category	Tracking
Response Options & Scores	Yes (no buffer zone); No
Total number of points	0
Coder instructions	<p>Yes (no buffer zone) = The policy does not have a provision that permits menthol-flavored noncombustible tobacco leaf product sales beyond a “no sales” buffer zone.</p> <p>No = The policy permits menthol-flavored noncombustible tobacco leaf product sales as long as they occur beyond a buffer zone of some sort. Use text field in Q4b3a to specify the parameters of the buffer zone (feet from venue).</p> <p>Note: If Q4 is “Menthol exemption(s) for retailers outside buffer zone,” then the policy restricts menthol tobacco leaf product sales in some manner, but permits them outside of a buffer zone of some sort. This question 4b3 captures whether the policy has a buffer zone specifically for menthol-flavored noncombustible tobacco leaf product sales.</p>

Item	4b3a. If there is a buffer zone, specify parameters.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	If Q4b3 = No, then specify the number of feet from specified venue(s), for example 1,000 feet from schools or 500 feet from libraries.

Item	4b4. If Other Partial, specify.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	Use this text field to indicate that menthol-flavored noncombustible tobacco leaf products sales are prohibited in some manner other than or in addition to specialty retailers, tobacco bars/lounges, and/or buffer zones.

	<p>Note: Use this field to explain if menthol-flavored noncombustible tobacco leaf products are treated differently from one another (i.e. one is restricted and another is not) and analyze the other subfields for the product with the least restrictions (e.g. if menthol snus is prohibited in specialty retailers, but menthol chew tobacco is not, mark specialty retailers “No”).</p>
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Item	4c. Does the policy end the sale of menthol-flavored Premium Tobacco Leaf Products?
Category	Tracking
Response Options & Scores	Yes; Partial; No
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of menthol-flavored premium tobacco leaf products.</p> <p>Partial = The policy partially prohibits the sale of menthol-flavored premium tobacco leaf products. Address Q4c sub-questions if this option is chosen.</p> <p>No = The policy has no restrictions on the sale of menthol-flavored premium tobacco leaf products.</p> <p>Note: Menthol-flavored premium tobacco leaf products include premium cigars as well as pipe tobacco.</p>

Item	4c1. If Partial, are adult-only/specialty tobacco retailers required to end the sale of menthol-flavored premium tobacco leaf products?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of menthol-flavored premium tobacco leaf products in adult-only/specialty retailers.</p> <p>No = The policy does not prohibit the sale of menthol-flavored premium tobacco leaf products in adult-only/specialty retailers.</p> <p>Not Specified = The policy does not address the sale of menthol-flavored premium tobacco leaf products in adult-only/specialty retailers.</p>

Item	4c2. If Partial, are tobacco bars / lounges required to end the sale of menthol-flavored premium tobacco leaf products?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of menthol-flavored premium tobacco leaf products in tobacco bars/lounges.</p> <p>No = The policy does not prohibit the sale of menthol-flavored premium tobacco leaf products in tobacco bars/lounges.</p>

	Not Specified = The policy does not address the sale of menthol-flavored premium tobacco leaf products in tobacco bars/lounges.
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Item	4c3. Does the policy omit a buffer zone provision for menthol-flavored premium tobacco leaf products?
Category	Tracking
Response Options & Scores	Yes (no buffer zone); No
Total number of points	0
Coder instructions	<p>Yes (no buffer zone) = The policy does not have a provision that permits menthol-flavored premium tobacco leaf product sales beyond a “no sales” buffer zone.</p> <p>No = The policy permits menthol-flavored premium tobacco leaf product sales as long as they occur beyond a buffer zone of some sort. Use text field in Q4c3a to specify the parameters of the buffer zone (feet from venue).</p> <p>Note: If Q4 is “Menthol exemption(s) for retailers outside buffer zone,” then the policy restricts menthol tobacco leaf product sales in some manner, but permits them outside of a buffer zone of some sort. This question 4c3 captures whether the policy has a buffer zone specifically for menthol-flavored premium tobacco leaf product sales.</p>

Item	4c3a. If there is a buffer zone, specify parameters.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	If Q4c3 = No, then specify the number of feet from specified venue(s), for example 1,000 feet from schools or 500 feet from libraries.

Item	4c4. If Other Partial, specify.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	<p>Use this text field to indicate that menthol-flavored premium tobacco leaf products sales are prohibited in some manner other than or in addition to specialty retailers, tobacco bars/lounges, and/or buffer zones.</p> <p>Note: Use this field to explain if menthol-flavored premium tobacco leaf products are treated differently from one another (i.e. one is restricted and another is not) and analyze the other subfields for the product with the least restrictions (e.g. if menthol pipe tobacco is prohibited in specialty retailers, but menthol premium cigars are not, mark specialty retailers “No”).</p>

Item	4d. Does the policy end the sale of menthol-flavored cigarillos/little cigars?
Category	Tracking

Response Options & Scores	Yes; Partial; No
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of menthol-flavored cigarillos/little cigars.</p> <p>Partial = The policy partially prohibits the sale of menthol-flavored cigarillos/little cigars. Address Q4d sub-questions if this option is chosen.</p> <p>No = The policy has no restrictions on the sale of menthol-flavored cigarillos/little cigars.</p> <p>Note: The terms cigarillos and little cigars may be used interchangeably for the purposes of analysis.</p>

Item	4d1. If Partial, are adult-only/specialty tobacco retailers required to end the sale of menthol-flavored cigarillos/little cigars?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of menthol-flavored cigarillos/little cigars in adult-only/specialty retailers.</p> <p>No = The policy does not prohibit the sale of menthol-flavored cigarillos/little cigars in adult-only/specialty retailers.</p> <p>Not Specified = The policy does not address the sale of menthol-flavored cigarillos/little cigars in adult-only/specialty retailers.</p>

Item	4d2. If Partial, are tobacco bars/lounges required to end the sale of menthol-flavored cigarillos/little cigars?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of menthol-flavored cigarillos/little cigars in tobacco bars/lounges.</p> <p>No = The policy does not prohibit the sale of menthol-flavored cigarillos/little cigars in tobacco bars/lounges.</p> <p>Not Specified = The policy does not address the sale of menthol-flavored cigarillos/little cigars in tobacco bars/lounges.</p>

Item	4d3. Does the policy omit a buffer zone provision for menthol-flavored cigarillos/little cigars?
Category	Tracking
Response Options & Scores	Yes (no buffer zone); No
Total number of points	0
Coder instructions	<p>Yes (no buffer zone) = The policy does not have a provision that permits menthol-flavored cigarillos/little cigar sales beyond a “no sales” buffer zone.</p> <p>No = The policy permits menthol-flavored cigarillos/little cigar sales as</p>

	<p>long as they occur beyond a buffer zone of some sort. Use text field in Q4d3a to specify the parameters of the buffer zone (feet from venue).</p> <p>Note: If Q4 is “Menthol exemption(s) for retailers outside buffer zone,” then the policy restricts menthol cigarillos/little cigar sales in some manner, but permits them outside of a buffer zone of some sort. This question 4d3 captures whether the policy has a buffer zone specifically for menthol-flavored premium tobacco leaf product sales.</p>
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Item	4d3a. If there is a buffer zone, specify parameters.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	If Q4d3 = No, then specify the number of feet from specified venue(s), for example 1,000 feet from schools or 500 feet from libraries.

Item	4d4. If Other Partial, specify.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	Use this text field to indicate that menthol-flavored cigarillos/little cigar sales are prohibited in some manner other than or in addition to specialty retailers, tobacco bars/lounges, and/or buffer zones.

Item	4e. Does the policy end the sale of menthol-flavored shisha/hookah tobacco?
Category	Tracking
Response Options & Scores	Yes; Partial; No
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of menthol-flavored shisha/hookah tobacco.</p> <p>Partial = The policy partially prohibits the sale of menthol-flavored shisha/hookah tobacco. Address Q4e sub-questions if this option is chosen.</p> <p>No = The policy has no restrictions on the sale of menthol-flavored shisha/hookah tobacco.</p> <p>Note: The terms shisha and hookah tobacco are generally interchangeable for the purposes of analysis.</p>

Item	4e1. If Partial, are adult-only/specialty tobacco retailers required to end the sale of menthol-flavored shisha/hookah tobacco?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	Yes = The policy prohibits the sale of menthol-flavored shisha/hookah tobacco in adult-only/specialty retailers.

	<p>No = The policy does not prohibit the sale of menthol-flavored shisha/hookah tobacco in adult-only/specialty retailers.</p> <p>Not Specified = The policy does not address the sale of menthol-flavored shisha/hookah tobacco in adult-only/specialty retailers.</p>
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Item	4e2. If Partial, are tobacco bars (e.g. hookah and/or cigar lounges) required to end the sale of menthol-flavored shisha/hookah tobacco?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of menthol-flavored shisha/hookah tobacco in tobacco bars/hookah lounges.</p> <p>No = The policy does not prohibit the sale of menthol-flavored shisha/hookah tobacco in tobacco bars/hookah lounges.</p> <p>Not Specified = The policy does not address the sale of menthol-flavored shisha/hookah tobacco in tobacco bars/hookah lounges.</p>

Item	4e3. Does the policy omit a buffer zone provision for menthol-flavored shisha/hookah tobacco?
Category	Tracking
Response Options & Scores	Yes (no buffer zone); No
Total number of points	0
Coder instructions	<p>Yes (no buffer zone) = The policy does not have a provision that permits menthol-flavored shisha/hookah tobacco sales beyond a “no sales” buffer zone.</p> <p>No = The policy permits menthol-flavored shisha/hookah tobacco sales as long as they occur beyond a buffer zone of some sort. Use text field in Q4e3a to specify the parameters of the buffer zone (feet from venue).</p> <p>Note: If Q4 is “Menthol exemption(s) for retailers outside buffer zone,” then the policy restricts menthol shisha/hookah tobacco sales in some manner, but permits them outside of a buffer zone of some sort. This question 4e3 captures whether the policy has a buffer zone specifically for menthol-flavored shisha/hookah tobacco product sales.</p>

Item	4e3a. If there is a buffer zone, specify parameters.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	If Q4e3 = No, then specify the number of feet from specified venue(s), for example 1,000 feet from schools or 500 feet from libraries.

Item	4e4. If Other Partial, specify.
Category	Tracking
Response Options & Scores	Text field

Total number of points	0
Item rationale	
Coder instructions	Use this text field to indicate that menthol-flavored shisha/hookah tobacco sales are prohibited in some manner other than or in addition to specialty retailers, tobacco bars/lounges, and/or buffer zones.

Item	<p>5. If #1 is “Partial” or “No”: Does policy end sale of ALL flavors of vaped products (including but not limited to electronic smoking devices, hookah pens, e-liquids, etc.) in ALL venues/locations, with no exemptions?</p> <p>If there are exemptions, address all sub-questions below.</p>
Category	Restrictiveness
Response Options & Scores	<ul style="list-style-type: none"> • Yes, without exemptions=20 • Certain locations exempt (e.g. adult-only/specialty retailers/vape lounges)=12 • Sales permitted outside buffer zone=5 • Certain flavors exempt (e.g. mint and/or menthol)=0 • Other/No =0 <p>(If more than one of these exemptions applies, choose the exemption that awards the fewest points.)</p>
Total number of points	20
Coder instructions	<p>Yes, without exemptions = The policy prohibits the sale of ALL flavors of all types of electronic smoking devices (ESDs) in ALL venues/locations, with no exemptions.</p> <p>Certain locations exempt (e.g. adult-only/specialty tobacco retailers/vape lounges) = The policy restricts the sale of flavored ESDs in some manner, but permits such sales in certain venues, e.g. specialty retailers, and/or vape lounges, etc.</p> <p>Sales permitted outside buffer zone = The policy restricts the sale of flavored ESDs in some manner, but permits sales outside of a buffer zone of some sort.</p> <p>Certain flavors exempt (e.g. mint and/or menthol) = The policy restricts the sale of most flavored ESDs, but permits the sale of certain flavors, such as mint and/or menthol.</p> <p>Other = The policy restricts the sale of flavored ESDs in some manner, but provides for some exemption other than, or in addition to, a location exemption, a buffer zone provision, an exemption of certain flavors, and/or specialty retailer/lounge exemption.</p> <p>No = The policy has no restrictions on the sale of flavored ESDs.</p> <p>Note: Vaped products, or Electronic Smoking Devices (ESDs), include but are not limited to, e-cigarettes, vape pens, e-hookah, e-liquids, etc. For the policy’s flavored tobacco regulations to apply to ESDs, ESDs must either be specifically named in the policy or have language in the definition of “tobacco product” that contains something akin to the following: “a product containing or delivering nicotine or any other substance intended for human consumption that can be used by a</p>

	<p>person in any manner for the purpose of inhaling vapor or aerosol from the product” or “e-cigarette” or similar terminology specifically associated with ESDs or "a product or formulation of matter containing biologically active amounts of nicotine...with the expectation that the product...will be introduced into the human body."</p> <p>If more than one of these exemptions applies, choose the exemption that awards the fewest points.</p>
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Item	5a. Are mint/menthol vaped products treated the same as all other flavors?
Category	Tracking
Response Options & Scores	Yes; No
Total number of points	0
Coder instructions	<p>Yes = The policy treats mint/menthol ESDs in the same manner as all other flavors of ESDs.</p> <p>No = The policy does not treat mint/menthol ESDs in the same manner as all other flavors of ESDs.</p>

Item	5b. If Partial, does the policy end the sale of all flavors of vaping products in all adult-only/specialty retailers?
Category	Tracking
Response Options & Scores	Yes; Partial; No
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of all flavors of ESDs in adult-only/specialty retailers.</p> <p>Partial = The policy partially prohibits the sale of flavored ESDs in adult-only/specialty retailers.</p> <p>No = The policy does not prohibit the sale of flavored ESDs in adult-only/specialty retailers.</p>

Item	5b1. If Partial, specify parameters (e.g. menthol sales OK in RTS).
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	If Q5b is Partial, describe the partial prohibition of flavored ESD sales in adult only/specialty retailers (e.g. menthol sales are still permitted in retail tobacco stores (RTS) and/or adult only retailers; existing retailers are still permitted to sell flavored ESDs, etc.)

Item	5c. If Partial, does the policy end the sale of all flavors of vaping products in all smoking/vaping bars/lounges?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	Yes = The policy prohibits the sale of all flavored ESDs in smoking/vaping bars/lounges.

	<p>No = The policy does not prohibit the sale of flavored ESDS in smoking/vaping bars/lounges.</p> <p>Not Specified = The policy does not address the sale of flavored ESDS in smoking/vaping bars/lounges.</p>
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Item	5d. If Partial, does the policy omit a buffer zone provision for flavored vaping products?
Category	Tracking
Response Options & Scores	Yes (no buffer zone); No; Not Specified
Total number of points	0
Coder instructions	<p>Yes (no buffer zone) = The policy does not have a provision that permits flavored ESD sales beyond a “no sales” buffer zone.</p> <p>No = The policy permits flavored ESD sales as long as they occur beyond a buffer zone of some sort. Use text field in Q5d1 to specify the parameters of the buffer zone (feet from venue).</p> <p>Not specified = The policy does not address flavored ESD sales within a buffer zone.</p>

Item	5d1. If there is a buffer zone, specify parameters.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	If Q5d = No, then specify the number of feet from specified venue(s), for example 1,000 feet from schools.

Item	5e. If Other Partial, specify.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	Use this text field to indicate that flavored ESD sales are prohibited in some manner other than, or in addition to, a location exemption, a buffer zone provision, an exemption of certain flavors, and/or specialty retailer/lounge exemption.

Item	<p>6. If #1 is “Partial” or “No”: Does the policy end sale of all flavors other than mint/menthol of combustible tobacco products (e.g. cigarillos/little cigars, hookah/shisha tobacco, pipe tobacco, etc.) in ALL venues/locations, with no exemptions?</p> <p>If there are exemptions, address all sub-questions below.</p>
Category	Restrictiveness
Response Options & Scores	<ul style="list-style-type: none"> • Yes=20 • Certain locations exempt (e.g. adult-only/specialty retailers)=12 • Sales permitted outside buffer zone=5 • Certain products exempt (e.g. hookah/shisha tobacco, cigarillos, etc.)=0 • Other/No =0 <p>(If more than one of these exemptions applies, choose the exemption</p>

	that awards the fewest points.)
Total number of points	20
Coder instructions	<p>Yes = The policy prohibits the sale of all flavors other than mint/menthol of combustible tobacco products in all venues/locations, with no exemptions.</p> <p>Certain locations exempt (e.g. adult-only/specialty retailers) = The policy restricts the sale of non-menthol flavored combustible tobacco products in some manner, but permits such sales in certain venues, e.g. specialty retailers, and/or hookah lounges, etc.</p> <p>Sales permitted outside buffer zone = The policy restricts the sale of non-menthol flavored combustible tobacco products in some manner, but permits sales outside of a buffer zone of some sort.</p> <p>Certain products exempt (e.g. hookah/shisha tobacco) = The policy restricts the sale of most non-menthol flavored combustible tobacco products, but permits the sale of certain products, such as hookah/shisha tobacco, cigarillos, etc.</p> <p>Other = The policy restricts the sale of non-menthol flavored combustible tobacco products in some manner, but provides for some exemption other than, or in addition to, a location exemption, product exemption, and/or a buffer zone provision.</p> <p>No = The policy has no restrictions on the sale of non-menthol flavored combustible tobacco products.</p> <p>Note: Non-menthol flavored combustible tobacco products includes cigarillos/little cigars, hookah/shisha tobacco, premium cigars, and pipe tobacco. Combustible tobacco typically includes cigarettes, but since menthol is the only flavor of cigarettes legally permitted in the U.S., cigarettes are not addressed by Q6 and are instead addressed by the menthol-specific Q4.</p> <p>If more than one of these exemptions applies, choose the exemption that awards the fewest points.</p>

Item	6a. Does the policy end the sale of non-menthol flavored hookah/shisha tobacco?
Category	Tracking
Response Options & Scores	Yes; Partial; No
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of non-menthol flavored shisha/hookah tobacco.</p> <p>Partial = The policy partially prohibits the sale of non-menthol flavored shisha/hookah tobacco. Address Q6a sub-questions if this option is chosen.</p> <p>No = The policy has no restrictions on the sale of non-menthol flavored shisha/hookah tobacco.</p> <p>Note: The terms shisha and hookah tobacco are generally interchangeable for the purposes of analysis.</p>

Item	6a1. If Partial, are adult-only/specialty tobacco retailers required to end the sale of non-menthol flavored hookah/shisha products?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of non-menthol flavored shisha/hookah tobacco in adult-only/specialty retailers.</p> <p>No = The policy does not prohibit the sale of non-menthol flavored shisha/hookah tobacco in adult-only/specialty retailers.</p> <p>Not Specified = The policy does not address the sale of non-menthol flavored shisha/hookah tobacco in adult-only/specialty retailers.</p>

Item	6a2. If Partial, are tobacco bars (e.g. hookah and/or cigar lounges) required to end the sale of non-menthol flavored hookah/shisha products?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of non-menthol flavored shisha/hookah tobacco in tobacco bars/hookah lounges/cigar lounges.</p> <p>No = The policy does not prohibit the sale of non-menthol flavored shisha/hookah tobacco in tobacco bars/hookah lounges/cigar lounges.</p> <p>Not Specified = The policy does not address the sale of non-menthol flavored shisha/hookah tobacco in tobacco bars/hookah lounges.</p>

Item	6a3. If Partial, does the policy omit a buffer zone provision for non-menthol flavored hookah/shisha products?
Category	Tracking
Response Options & Scores	Yes (no buffer zone); No
Total number of points	0
Coder instructions	<p>Yes (no buffer zone) = The policy does not have a provision that permits non-menthol flavored shisha/hookah tobacco beyond a “no sales” buffer zone.</p> <p>No = The policy permits non-menthol flavored shisha/hookah tobacco sales as long as they occur beyond a buffer zone of some sort. Use text field in Q6a3a to specify the parameters of the buffer zone (feet from venue).</p>

Item	6a3a. If there is a buffer zone, specify parameters.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	If Q6a3 = No, then specify the number of feet from specified venue(s), for example 1,000 feet from schools or 500 feet from libraries.

Item	6a4. If Other Partial, specify.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	Use this text field to indicate that non-menthol flavored hookah/shisha sales are prohibited in some manner other than, or in addition to, specialty retailers, tobacco bars/lounges, and/or buffer zones.

Item	6b. Does the policy end the sale of non-menthol flavored cigarillos/little cigars?
Category	Tracking
Response Options & Scores	Yes; Partial; No
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of non-menthol flavored cigarillos/little cigars.</p> <p>Partial = The policy partially prohibits the sale of non-menthol flavored cigarillos/little cigars. Address Q6b sub-questions if this option is chosen.</p> <p>No = The policy has no restrictions on the sale of non-menthol flavored cigarillos/little cigars.</p> <p>Note: The terms cigarillos and little cigars may be used interchangeably for the purposes of analysis.</p>

Item	6b1. If Partial, are adult-only/specialty tobacco retailers required to end the sale of non-menthol flavored cigarillos/little cigars?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of non-menthol flavored cigarillos/little cigars in adult-only/specialty retailers.</p> <p>No = The policy does not prohibit the sale of non-menthol flavored cigarillos/little cigars in adult-only/specialty retailers.</p> <p>Not Specified = The policy does not address the sale of non-menthol flavored cigarillos/little cigars in adult-only/specialty retailers.</p>

Item	6b2. If Partial, are tobacco bars / lounges required to end the sale of non-menthol flavored cigarillos/little cigars?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of non-menthol flavored cigarillos/little cigars in tobacco bars/lounges.</p> <p>No = The policy does not prohibit the sale of non-menthol flavored cigarillos/little cigars in tobacco bars/lounges.</p> <p>Not Specified = The policy does not address the sale of non-menthol flavored cigarillos/little cigars in tobacco bars/lounges.</p>

Item	6b3. If Partial, does the policy omit a buffer zone provision for non-menthol flavored cigarillos/little cigars?
Category	Tracking
Response Options & Scores	Yes (no buffer zone); No
Total number of points	0
Coder instructions	<p>Yes (no buffer zone) = The policy does not have a provision that permits non-menthol flavored cigarillos/little cigar sales beyond a “no sales” buffer zone.</p> <p>No = The policy permits non-menthol flavored cigarillos/little cigars sales as long as they occur beyond a buffer zone of some sort. Use text field in Q6b3a to specify the parameters of the buffer zone (feet from venue).</p>

Item	6b3a. If there is a buffer zone, specify parameters.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	If Q6b3 = No, then specify the number of feet from specified venue(s), for example 1,000 feet from schools or 500 feet from libraries.

Item	6b4. If Other Partial, specify.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	Use this text field to indicate that non-menthol flavored cigarillos/little cigars sales are prohibited in some manner other than, or in addition to, specialty retailers, tobacco bars/lounges, and/or buffer zones.

Item	6c. Does the policy end the sale of non-menthol flavored premium (i.e. big) cigars?
Category	Tracking
Response Options & Scores	Yes; Partial; No
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of non-menthol flavored premium cigars.</p> <p>Partial = The policy partially prohibits the sale of non-menthol flavored premium cigars. Address Q6c sub-questions if this option is chosen.</p> <p>No = The policy has no restrictions on the sale of non-menthol flavored premium cigars.</p>

Item	6c1. If Partial, are adult-only/specialty tobacco retailers required to end the sale of non-menthol flavored premium (i.e. big) cigars?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0

Coder instructions	<p>Yes = The policy prohibits the sale of non-menthol flavored premium cigars in adult-only/specialty retailers.</p> <p>No = The policy does not prohibit the sale of non-menthol flavored premium cigars in adult-only/specialty retailers.</p> <p>Not Specified = The policy does not address the sale of non-menthol flavored premium cigars in adult-only/specialty retailers.</p>
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Item	6c2. If Partial, are tobacco bars / lounges required to end the sale of non-menthol premium (i.e. big) cigars?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of non-menthol flavored premium cigars in tobacco bars/lounges.</p> <p>No = The policy does not prohibit the sale of non-menthol flavored premium cigars in tobacco bars/lounges.</p> <p>Not Specified = The policy does not address the sale of non-menthol flavored premium cigars in tobacco bars/lounges.</p>

Item	6c3. If Partial, does the policy omit a buffer zone provision for non-menthol flavored premium (i.e. big) cigars?
Category	Tracking
Response Options & Scores	Yes (no buffer zone); No
Total number of points	0
Coder instructions	<p>Yes (no buffer zone) = The policy does not have a provision that permits non-menthol flavored premium cigar sales beyond a “no sales” buffer zone.</p> <p>No = The policy permits non-menthol flavored premium cigars sales as long as they occur beyond a buffer zone of some sort. Use text field in Q6c3a to specify the parameters of the buffer zone (feet from venue).</p>

Item	6c3a. If there is a buffer zone, specify parameters.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	If Q6c3 = No, then specify the number of feet from specified venue(s), for example 1,000 feet from schools or 500 feet from libraries.

Item	6c4. If Other Partial, specify.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	Use this text field to indicate that non-menthol flavored premium cigars sales are prohibited in some manner other than, or in addition to, specialty retailers, tobacco bars/lounges, and/or buffer zones.

Item	6d. Does the policy end the sale of non-menthol flavored pipe tobacco?
Category	Tracking
Response Options & Scores	Yes; Partial; No
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of non-menthol flavored pipe tobacco.</p> <p>Partial = The policy partially prohibits the sale of non-menthol flavored pipe tobacco. Address Q6d sub-questions if this option is chosen.</p> <p>No = The policy has no restrictions on the sale of non-menthol flavored pipe tobacco.</p>

Item	6d1. If Partial, are adult-only/specialty tobacco retailers required to end the sale of non-menthol flavored pipe tobacco?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of non-menthol flavored pipe tobacco in adult-only/specialty retailers.</p> <p>No = The policy does not prohibit the sale of non-menthol flavored pipe tobacco in adult-only/specialty retailers.</p> <p>Not Specified = The policy does not address the sale of non-menthol flavored pipe tobacco in adult-only/specialty retailers.</p>

Item	6d2. If Partial, are tobacco bars / lounges required to end the sale of non-menthol flavored pipe tobacco?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy prohibits the sale of non-menthol flavored pipe tobacco in tobacco bars/lounges.</p> <p>No = The policy does not prohibit the sale of non-menthol flavored pipe tobacco in tobacco bars/lounges.</p> <p>Not Specified = The policy does not address the sale of non-menthol flavored pipe tobacco in tobacco bars/lounges.</p>

Item	6d3. If Partial, does the policy omit a buffer zone provision for non-menthol flavored pipe tobacco?
Category	Tracking
Response Options & Scores	Yes (no buffer zone); No
Total number of points	0
Coder instructions	<p>Yes (no buffer zone) = The policy does not have a provision that permits non-menthol flavored pipe tobacco sales beyond a “no sales” buffer zone.</p>

	No = The policy permits non-menthol flavored pipe tobacco sales as long as they occur beyond a buffer zone of some sort. Use text field in Q6d3a to specify the parameters of the buffer zone (feet from venue).
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Item	6d3a. If there is a buffer zone, specify parameters.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	If Q6d3 = No, then specify the number of feet from specified venue(s), for example 1,000 feet from schools or 500 feet from libraries.

Item	6d4. If Other Partial, specify.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	Use this text field to indicate that non-menthol flavored pipe tobacco sales are prohibited in some manner other than, or in addition to, specialty retailers, tobacco bars/lounges, and/or buffer zones.

Item	7. If #1 is “Partial” or “No”: Does the policy end sales of non-menthol flavored noncombustible tobacco products (snus, snuff, chew, etc.)? If there are exemptions, address all sub-questions below.
Category	Restrictiveness
Response Options & Scores	<ul style="list-style-type: none"> • Yes, without exemptions=9 • Certain locations exempt (e.g. adult-only/specialty retailers)=6 • Sales permitted outside buffer zone=3 • Other/No =0 (If more than one of these exemptions applies, choose the exemption that awards the fewest points.)
Total number of points	9
Coder instructions	<p>Yes, without exemptions = The policy prohibits the sale of all non-menthol flavored noncombustible tobacco products in all venues/locations, with no exemptions.</p> <p>Certain locations exempt (e.g. adult-only/specialty tobacco retailers/) = The policy restricts the sale of non-menthol flavored noncombustible tobacco products in some manner, but permits such sales in certain venues.</p> <p>Sales permitted outside buffer zone = The policy restricts the sale of non-menthol flavored noncombustible tobacco products in some manner, but permits sales outside of a buffer zone of some sort.</p> <p>Other = The policy restricts the sale of non-menthol flavored noncombustible tobacco products in some manner, but provides for some exemption other than, or in addition to, a location exemption and/or a buffer zone provision.</p> <p>No = The policy has no restrictions on the sale of non-menthol flavored</p>

	<p>noncombustible tobacco products.</p> <p>If more than one of these exemptions applies, choose the exemption that awards the fewest points.</p> <p>Note: Non-menthol flavored noncombustible tobacco products means all smokeless/noncombustible products containing tobacco leaf, including but not necessarily limited to chew, snuff, and snus, in flavors other than menthol.</p>
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Item	7a. Are adult-only/specialty retail tobacco stores required to end the sale of flavored noncombustible tobacco products?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy fully prohibits the sale of flavored noncombustible tobacco products in adult-only/specialty retailers.</p> <p>No = The policy does not fully prohibit the sale of flavored noncombustible tobacco products in adult-only/specialty retailers.</p> <p>Not Specified = The policy does not address the sale of flavored noncombustible tobacco products in adult-only/specialty retailers.</p>

Item	7b. Does the policy omit a buffer zone provision for all flavored noncombustible products?
Category	Tracking
Response Options & Scores	Yes (no buffer zone); No
Total number of points	0
Coder instructions	<p>Yes (no buffer zone) = The policy does not have a provision that permits flavored noncombustible product sales beyond a “no sales” buffer zone.</p> <p>No = The policy permits flavored noncombustible product sales as long as they occur beyond a buffer zone of some sort. Use text field in Q7b1 to specify the parameters of the buffer zone (feet from venue).</p>

Item	7b1. If there is a buffer zone, specify parameters.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	If Q7b = No, then specify the number of feet from specified venue(s), for example 1,000 feet from schools.

Item	8. If #1 is “Partial” or “No”: Does the policy end the sales of all flavors of tobacco-free nicotine products other than vaped products (e.g. lozenges, pouches like Zyn, etc.) in ALL venues/locations, with no exemptions?
	If there are exemptions, address all sub-questions below.
Category	Restrictiveness
Response Options & Scores	<ul style="list-style-type: none"> Yes, without exemptions=9

	<ul style="list-style-type: none"> • Certain locations exempt (e.g. adult-only/specialty retailers)=6 • Sales permitted outside buffer zone=3 • Certain flavors exempt (e.g. mint and/or menthol)=0 • Other/No =0 <p>(If more than one of these exemptions applies, choose the exemption that awards the fewest points.)</p>
Total number of points	9
Coder instructions	<p>Yes, without exemptions = The policy prohibits the sale of all flavors of tobacco-free non-ESD nicotine products in all venues/locations, with no exemptions.</p> <p>Certain locations exempt (e.g. adult-only/specialty tobacco retailers/vape lounges) = The policy restricts the sale of flavored tobacco-free non-ESD nicotine products in some manner, but permits such sales in certain venues, e.g. adult only/specialty retailers, etc.</p> <p>Sales permitted outside buffer zone = The policy restricts the sale of flavored tobacco-free non-ESD nicotine products in some manner, but permits sales outside of a buffer zone of some sort.</p> <p>Certain flavors exempt (e.g. mint and/or menthol) = The policy restricts the sale of most flavored tobacco-free non-ESD nicotine products, but permits the sale of certain flavors, such as mint and/or menthol.</p> <p>Other = The policy restricts the sale of flavored tobacco-free non-ESD nicotine products in some manner, but provides for some exemption other than, or in addition to, a location exemption, a buffer zone provision, and/or an exemption of certain flavors.</p> <p>No = The policy has no restrictions on the sale of flavored tobacco-free non-ESD nicotine products.</p> <p>Note: This category is for flavored nicotine products that are not vaped and contain no tobacco leaf. In order for the policy to apply to flavored tobacco-free non-ESD nicotine products, it must either specifically name these products (e.g. lozenges, pouches like Zyn, etc.) or contain language in the definition of "tobacco product" that contains the following language or similar: "a product containing or delivering nicotine or any other substance intended for human consumption" or a product "derived from tobacco" or "a product or formulation of matter containing biologically active amounts of nicotine...with the expectation that the product...will be introduced into the human body."</p> <p>If more than one of these exemptions applies, choose the exemption that awards the fewest points.</p>

Item	8a. Are mint/menthol tobacco-free nicotine (non-vaped) products treated the same as all other flavors?
Category	Tracking
Response Options & Scores	Yes; No
Total number of points	0
Coder instructions	Yes = The policy treats mint/menthol tobacco-free non-ESD nicotine

	<p>products in the same manner as all other flavors of tobacco-free nicotine products.</p> <p>No = The policy does not treat mint/menthol tobacco-free non-ESD nicotine products in the same manner as all other flavors of tobacco-free nicotine products.</p>
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Item	8b. Are adult-only/specialty retailers required to end the sale of flavored tobacco-free (non-vaped) nicotine products?
Category	Tracking
Response Options & Scores	Yes; No; Not Specified
Total number of points	0
Coder instructions	<p>Yes = The policy fully prohibits the sale of flavored tobacco-free non-ESD nicotine products in adult-only/specialty retailers.</p> <p>No = The policy does not fully prohibit the sale of flavored tobacco-free non-ESD nicotine products in adult-only/specialty retailers.</p> <p>Not Specified = The policy does not address the sale of flavored tobacco-free non-ESD nicotine products in adult-only/specialty retailers.</p>

Item	8c. Does the policy omit a buffer zone provision for all flavored tobacco-free (non-vaped) nicotine products?
Category	Tracking
Response Options & Scores	Yes (no buffer zone); No
Total number of points	0
Coder instructions	<p>Yes (no buffer zone) = The policy does not have a provision that permits flavored tobacco-free non-ESD nicotine product sales beyond a “no sales” buffer zone.</p> <p>No = The policy permits flavored tobacco-free non-ESD nicotine products product sales as long as they occur beyond a buffer zone of some sort. Use text field in Q8c1 to specify the parameters of the buffer zone (feet from venue).</p>

Item	8c1. If there is a buffer zone, specify parameters.
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	If Q8c = No, then specify the number of feet from specified venue(s), for example 1,000 feet from schools.

Item	9. Does the policy end the sale of flavored accessories, components, or parts (e.g. rolling papers, blunt wraps, etc.), whether or not sold separately?
Category	Restrictiveness
Response Options & Scores	<ul style="list-style-type: none"> • Yes=2 • Some=1 • Not Specified/No=0
Total number of points	2

Coder instructions	<p>Yes = The policy prohibits the sale of flavored accessories, components, or parts (e.g. rolling papers, blunt wraps, etc.), whether or not sold separately.</p> <p>Some = The policy prohibits the sale of some flavored accessories, components, or parts (e.g. rolling papers, blunt wraps, etc.). Use the text field in Q9a to describe which products are regulated.</p> <p>No = The policy does not prohibit the sale of flavored accessories, components, or parts (e.g. rolling papers, blunt wraps, etc.), whether or not sold separately.</p> <p>Not Specified = The policy does not address the sale of flavored accessories, components, or parts.</p> <p>Note: This category is somewhat amorphous, but consists of items designed or marketed to aid in the consumption/use of flavored tobacco and/or other nicotine products of interest. Examples include rolling papers, blunt wraps, and flavor enhancers. Policy language is likely to use the words (paraphernalia/component/accessory/part). PETS is not concerned with marijuana products in this category.</p>
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Item	9a. If only some, which?
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	If Q9 = Some, describe which products are regulated.

Item	10. Does the policy preclude penalizing the purchase, use, or possession of regulated products by <i>any</i> person not engaged in tobacco retailing?
Category	Restrictiveness
Response Options & Scores	<ul style="list-style-type: none"> • Yes - Regardless of age, consumer is explicitly not penalized for Purchase, Use, and/or Possession=2 • Yes - Underage consumer is explicitly not penalized for Purchase, Use, and/or Possession =1 • No=0
Total number of points	2
Coder instructions	<p>Yes - Regardless of age, consumer is explicitly not penalized for Purchase, Use, and/or Possession = The policy expressly prohibits penalizing any people who purchase and/or use and/or possess flavored products, or penalties are articulated in such a manner that they may only be reasonably interpreted to penalize a merchant when flavors provisions are violated [i.e. consumer is explicitly protected from being penalized].</p> <p>Yes - Underage consumer is explicitly not penalized for Purchase, Use, and/or Possession = The policy does not expressly penalize minors from purchasing and/or using and/or possessing flavored products [i.e. underage consumers are explicitly protected from being penalized].</p> <p>No = The policy penalizes a consumer of flavored products in some manner other than underage purchase/use/possession, or penalties are</p>

	articulated in such a manner that they may be reasonably interpreted to penalize parties other than merchants [i.e. no consumer penalty protections].
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Item	10a. If underage protections only, what age specific to tobacco leaf?
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	If Q10 = “Yes – Underage consumer is explicitly not penalized for Purchase, Use, and/or Possession” of flavored tobacco leaf products, then specify the age that qualifies for the protection (e.g. 18 or 21).

Item	10b. If underage protections only, what age specific to ESDs?
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	If Q10 = “Yes – Underage consumer is explicitly not penalized for Purchase, Use, and/or Possession” of flavored ESDs, then specify the age that qualifies for the protection (e.g. 18 or 21).

Item	11. Are the flavored product restrictions regulated via local TRL (tobacco retailer license)?
Category	Specificity
Response Options & Scores	<ul style="list-style-type: none"> • Yes=10 • No=0
Total number of points	10
Coder instructions	<p>Yes = The policy’s flavored tobacco restrictions are specifically included in the framework of a tobacco retailer license system.</p> <p>No = The policy’s flavored tobacco restrictions are not included in the framework of a tobacco retailer license system.</p> <p>Note: If the policy provides for any sales restrictions on flavored products, this question captures if such provisions are set out within the framework of a tobacco retailer license system. The best practice is for a policy to require retailers to obtain a TRL, and then that TRL framework may include sales restrictions including regulating the sale of flavored products. The TRL framework makes it easier for the jurisdiction to administer, implement, and enforce the sales restrictions.</p>

Item	12. Are compliance checks required?
Category	Restrictiveness
Response Options & Scores	<ul style="list-style-type: none"> • Yes, MUST do compliance checks=2 • Yes, MAY do compliance checks=1 • No compliance checks=0
Total number of points	2
Coder instructions	Yes, MUST do compliance checks = The policy requires compliance checks.

	<p>Yes, MAY do compliance checks = The policy provides for compliance checks but does not state that they are required.</p> <p>No compliance checks = The policy does not provide for compliance check/not addressed.</p>
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Item	12a. If Yes, how many?
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	

Item	13. Does the policy specify that an enforcement entity that will be responsible for compliance monitoring of the policy?
Category	Enforcement
Response Options & Scores	<ul style="list-style-type: none"> • Yes=2 • No=0
Total number of points	2
Coder instructions	<p>Yes = The policy names a specific government entity who will be responsible for enforcement.</p> <p>No = The policy does not name a specific government entity who will be responsible for enforcement, e.g. policy says “The City” but doesn’t define “The City” further.</p>

Item	13a. If Yes, health agency?
Category	Tracking
Response Options & Scores	Yes; No
Total number of points	0
Coder instructions	

Item	13b. If yes, law enforcement?
Category	Tracking
Response Options & Scores	Yes; No
Total number of points	0
Coder instructions	

Item	13c. If yes, fire department?
Category	Tracking
Response Options & Scores	Yes; No
Total number of points	0
Coder instructions	

Item	13d. If yes, code enforcement officer?
Category	Tracking
Response Options & Scores	Yes; No
Total number of points	0
Coder instructions	

Item	13e. If yes, elected officials?
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Category	Tracking
Response Options & Scores	Yes; No
Total number of points	0
Coder instructions	

Item	13f. If yes, administrator?
Category	Tracking
Response Options & Scores	Yes; No
Total number of points	0
Coder instructions	

Item	13g. If yes, other
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	

Item	14. Does the policy include one or more penalty options? If yes, select all that apply:
Category	Enforcement
Response Options & Scores	<ul style="list-style-type: none"> • Yes=2 • No=0
Total number of points	2
Coder instructions	<p>Yes = The policy includes one or more penalty options.</p> <p>No = The policy does not include penalty options.</p>

Item	14a. If Yes, is there a graduated penalty system?
Category	Tracking
Response Options & Scores	Yes; No
Total number of points	0
Coder instructions	

Item	14b. If Yes, are fines a possible penalty?
Category	Enforcement
Response Options & Scores	<ul style="list-style-type: none"> • Yes=2 • No=0
Total number of points	2
Coder instructions	

Item	14b1. If Yes, list all fines. (For example: "1st penalty = \$100, 2nd = \$250," or Not Specified, etc.)
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	

Item	14c. If Yes, is infraction a possible penalty?
Category	Tracking

Response Options & Scores	Yes; No
Total number of points	0
Coder instructions	

Item	14d. If Yes, is misdemeanor a possible penalty?
Category	Tracking
Response Options & Scores	Yes; No
Total number of points	0
Coder instructions	

Item	14e. If Yes, is injunction/ abatement of nuisance a possible penalty?
Category	Tracking
Response Options & Scores	Yes; No
Total number of points	0
Coder instructions	

Item	14f. Other specified penalties?
Category	Tracking
Response Options & Scores	Text field
Total number of points	0
Coder instructions	

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