



April 22, 2019

Honorable Senator Jerry Hill
State Capitol
Sacramento, CA 95814

OPPOSITION UNLESS AMENDED: SB 38 Flavored Tobacco

Dear Senator Hill,

On behalf of the Hookah Chamber of Commerce, representing over 400 independently-owned hookah lounges and retailers in California, I am writing to inform you of their opposition to SB 38 unless amended to exclude hookah related tobacco.

As currently drafted, SB 38 would prohibit the sale of flavored tobacco products in California.

We all share the concern of keeping tobacco products in any form out of the hands of those under the age of 21; however we believe as currently drafted, ***SB 38 targets a specific cultural practice dating back hundreds of years, Arab, Middle Eastern, and Indian cultures and communities in particular, and will place a significant economic burden on small, primarily immigrant and Arab-owned businesses.***

Smoking the hookah (commonly referred to as a water pipe) is one of the oldest traditions in the Middle East, and is enjoyed mutually by both men and women throughout the world. Smoking of flavored tobacco in a hookah is quite different from e-cigarettes, cigar or cigarette smoking. California's hookah lounges provide a variety of flavors and flavor mixtures, sometimes in the form of fresh fruit, as part of the preparation of a hookah apparatus for sharing.

Patrons of California's hookah lounges come there to listen to music, read books, play chess and backgammon, watch TV and enjoy other social activities. Our lounges often serve secondarily as cultural centers, where newly-arrived Middle Eastern immigrants can network with others to learn of job opportunities and programs to help assimilate into broader American society. California's hookah lounge operators currently comply strictly with all state and local laws governing the use of tobacco in their establishments. However, the prohibition of flavored tobacco that is the centerpiece of SB 38, would essentially outlaw a cultural tradition dating back to 16th century.

Owing to California's rich cultural diversity and the worldwide popularity of hookah, hookah lounges can today be found throughout California. 80 lounges operate in Los Angeles County alone, and nearly as many can be found in the San Francisco Bay Area. 40 operate in San Diego County. These small businesses are also found in the cities of the Central Valley from Redding to Bakersfield.

As written, SB 38 offers no sensitivity to the cultural traditions embodied in the use of hookah to people of Middle Eastern descent, and to the thousands of adult Californians that frequent hookah lounges and enjoy flavored tobacco in them on a daily basis. Hookah is also enjoyed in many homes where it has been an important part of family gatherings. Licensed legal hookah tobacco retailers play an important role for those that smoke in the privacy and safety of their own homes.

For these reasons the Hookah Chamber of Commerce opposes SB 38 and respectfully requests that hookah related tobacco be excluded. Thank you for the opportunity to list our concerns.

Sincerely,

A handwritten signature in black ink that reads 'Afrack Vargas'.

Afrack Vargas
K Street Consulting