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[Joan Cottler <jcottler44@comcast.net>](mailto:jcottler44@comcast.net)

Date: 12/5/2024 7:02:22 AM

Subject: [EXTERNAL] - Re: Response to media inquiry: Re: The "generational ban" on smoking in Manchester-by-the-Sea

****WARNING**** This email originates from a personal e-mail account and may attempt to impersonate personnel or deliver suspicious or malicious content. Please take care if you proceed.

Thanks Wendy for sending that on and thanks Joan for letting us know.

From this am's Gloucester Daily Times (sorry/ I was not sure if you could read it without an online subscription so took a picture).

MANCHESTER-BY-THE-SEA

Generational smoking ban instituted

Restriction takes effect April 1

By Stephen Hagan

» Staff Writer

MANCHESTER-BY-THE-SEA — A “generational” smoking ban approved by the Board of Health is not sitting well with local retailers.

The board recently voted 3-1 to ban the sale of all tobacco and nicotine products, including cigarettes, e-cigarettes, cigars and chewing tobacco, to anyone born on or after Jan. 1, 2004.

“After discussion, the board voted to pass the local regulation with an implementation date of April 1, 2025,” said Wendy Hansbury, the town’s public health director. “This allows time for local businesses to pivot and educate staff.”

The ban is intended to curb smoking, Board of Health member Joan Cottler said.

“The hope is eventually (that) it will lead to people stopping smoking because they won’t be able to buy cigarettes because of their age,” she said. “All of us on the board feel it is detrimental to your health. We wanted to do what we could to help

See **SMOKING**, Page A2

COURTESY PHOTO
due to colder

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winter when instances of unsafe behavior and wildlife harassment associated with two barred owls resulted in the Parker River National Refuge reducing public visiting hours.

Snowy owls come to the region from their Arctic tundra breeding grounds for

really they are awake and alert. Sometimes I think people assume that if they don't fly away, you can get closer, which is absolutely incorrect and is likely harming that owl that they are approaching."

These guidelines were provided by the Parker

ence, you are too close.

Ensure wildlife always have a safe exit route by not surrounding them, and never follow animals when they leave for another area. This is a good indicator the animal is stressed and fearful.

Limit your viewing time to no more than 10 minutes. If

unique experience.

Avoid sharing real-time wildlife locations through social media, group chats, or other digital channels. This behavior can result in overcrowding that stresses wildlife and creates unsafe road and trail conditions.

Never attempt to influence

with limited energy stores.

Do not feed wildlife. It is illegal and can make them sick, reduces their ability to hunt independently by creating a reliance on humans, and can result in the animal being euthanized if it becomes aggressive toward humans.

403-5753), submitting enforcement tip online (<https://www.fws.gov/wildlife-crime-tips>), or calling 1-844-FWS TIPS (1-844-397-8477).

Staff writer Ethan Forman contributed to this report by David Rogers. Rogers may be contacted at drogers@gloucester.com and follow him on Twitter @drogers41008.

» Smoking

Continued from Page A1

people stop smoking and better educate people about the problems with smoking."

The North Shore/Cape Ann Tobacco Policy Program will work with retailers to give them tools to deal with those who want cigarettes, but who are ineligible to buy them, Hansbury said.

"Pushback from customers could possibly be heated and/or dangerous to their employees," she said. "This is a serious concern; we encourage

preparation for it to anticipate problems and have ready responses available to employees."

"We want to be helpful to businesses implementing this locally as part of efforts to break the cycle of nicotine addiction," she said.

Hansbury, who is a registered nurse, said the regulation has enforcement and violation language "that is typical to tobacco regulations at the local and state level."

Stores in violation of the ban will face possible fines and suspensions of their tobacco

sales licenses.

The "Regulation Restricting the Sale of Tobacco Products" can be found at <https://manchester.ma.us/337/Board-of-Health>. It points to the ill-health effects of tobacco use, especially for younger users.

Store owners are calling on those who support civil liberties to join opposition to the ban, which they say is similar to a Brookline law recently upheld by the Massachusetts Supreme Judicial Court.

Reached by phone, Kevin Johnson, owner of Richdale Sub Express at 8 Beach St. in

Manchester, did not want to comment on the smoking initiative. Johnson said his shop sells cigarettes.

The influx of seasonal tourists will create challenges because of the patchwork adoption of the regulation in Massachusetts. Hansbury said a state bill adopted by the Legislature would help.

"I hope that retailers feel they can come to us and ask for help if needed," she said. "We need to support their efforts as businesses and residents invested in our community."

"The board's choice to adopt this regulation is focused on changing the access points of a highly addictive substance. We are all interested in protecting each other from preventable disease."

The Stoughton-based New England Convenience Store & Energy Marketers Association (NECSEMA) said in a prepared statement it opposes the ban because its members contend the measure:

— "Haphazardly applies a discriminatory ban against the purchase of legal products" by legal adults, "treating

them differently from those before them."

— Restricts "the free choices of legal products to adults," which they say is "fundamentally wrong."

— "Creates and supports a dangerous illicit market."

— "Does nothing to address under-age youth use of tobacco and nicotine products."

NECSEMA said it represents thousands of convenience stores in New England.

Stephen Hagan may be contacted at 978-675-2708, or shagan@gloucestertimes.com.

» Santa

Continued from Page A1

director of community relations. "He arrives by lobster boat and there's a mini-parade that takes Santa and Mrs. Claus out to the First Baptist Church."

At the church 4 High St., Santa will be available to pose with children for photos and the entire contingent will then walk to Dock Square at 4 p.m. for the annual tree lighting ceremony.

Over in Manchester-by-the-Sea, Santa is expected to arrive by boat at Masconomo Park on Beach Street on Saturday Dec. 7, at 1 p.m., before leaving at 3 p.m.

"They do

celebrated in the region.

"I think the series of events that happens during the season brings the communities together," she said. "It brings together our seaside communities and shows the local charm in terms of how we celebrate the season in New England. I think it's great that we get to partake in that."

The chamber also helps organize the sponsors who participate in the gatherings, Murdock said.

Other holiday highlights in Cape Ann towns are:

Thursday, Dec. 5

— Greater Cape Ann Chamber of Commerce

downtown Manchester-by-the-Sea. Special deals at participating shops.

— "Very Essex Christmas Celebration," 4-6 p.m. with music, snacks, fun, Essex Historical Society and Shipbuilding Museum, 66 Main St., in Essex. Santa arrives at 5 p.m.

Saturday, Dec. 7

— Winter Wonderland Pancake Breakfast, 8-11 a.m., Essex Elementary School, 12 Story St., Essex. \$10 per person or \$25 per family; proceeds benefit the school's activities fund.

— Holiday Market in the Shipyard, 11 a.m.-3 p.m., Essex Historical Society

St., Manchester-by-the-Sea.

— Community Friendship tree lighting and program, 9 a.m. to 4:30 p.m., Town Hall Common, Manchester-by-the-Sea. Manchester Essex Regional High School Band, Chorus and Sound Waves, Manchester-Essex Elementary School Chorus perform. Cocoa.

— Holiday Open House, 3-5 p.m., Sandy Bay Historical Society & Museum, 40 King St., Rockport.

Saturday, Dec. 14

— All in downtown Rockport: Jul Fest, 9 a.m.

Essex Division Holiday Party, 5-7 p.m., Vita Bella Ristorante, 109 Eastern Ave., Essex.

Saturday, Dec. 21

— Last Minute Stocking Stuffer Weekend, special deals at participating shops in Rockport. Also Sunday, Dec. 22.

— North Shore Christian Men's Choir, 2:30-3:30 p.m., First Baptist Church, 4 High St., Rockport.

— 79th annual Live Christmas Pageant, 5 p.m., Dock Square.

Sent from Yahoo Mail for iPhone

On Wednesday, December 4, 2024, 12:28 PM, Wendy Hansbury <hansburyw@manchester.ma.us> wrote:

Hello Members of the Board,

I thought to bring this as part of the meeting, but since individual members are being contacted, I thought I'd forward my responses to you now.

Below is the thread that includes 2 exchanges from Monday night and this morning.

Have a nice afternoon,

Wendy

From: Wendy Hansbury
 Sent: Wednesday, December 4, 2024 12:01 PM
 To: SHagan@northhofboston.com

Cc: Greg Federspiel <federspielg@manchester.ma.us>

Subject: RE: [EXTERNAL] - Re: The "generational ban" on smoking in Manchester-by-the-Sea

Hi Stephen,

Glad to answer, again thank you for your interest in our local public health efforts.

The Board vote was 3 to 1 to approve the Nicotine Free Generation section to be included in the Restricting the Sale of Tobacco Products Regulation. One seat is open. There are concerns from tobacco retailers and they did have opportunity to express their position at the public hearing.

After the meeting, I checked in with a long-time, local retailer/resident regarding the future impact of the change. We had a very good discussion about the meeting and the anticipated difficulties of implementing the age restriction at the checkout counter.

The retailer brought up valid concerns. The influx of seasonal tourists will create challenges because of the current patchwork adoption of the regulation; state adoption as proposed by the current legislature would help. Pushback from customers could possibly be heated and/or dangerous to their employees. This is a serious concern; we encourage preparation for it to anticipate problems and have ready responses available to employees.

My understanding is the North Shore / Cape Ann Tobacco Policy Program will work with retailers in the coming months to be ready by educating both the employees and the customers. The Board of Health wants to ensure that good tools are available to the retailers. I hope that retailers feel they can come to us and ask for help if needed.

They are a first line of public health protection measures by stopping the purchase of nicotine. We need to support their efforts as businesses and residents invested in our community. The Board's choice to adopt this regulation is focused on changing the access points of a highly addictive substance. We are all interested in protecting each other from preventable disease.

This is information I'm sure you have, but I've included as it is the main reasoning for the Board to adopt the Nicotine Free Generation regulation:

- "Tobacco product use remains the leading cause of preventable disease and death in the United States. In 2022, 49.2 million (19.8%)—or nearly 1 in 5—U.S. adults reported current tobacco product use.",
- "Youth and young adult use of tobacco products contributes to future use. This is because nicotine exposure can harm the developing brain and increase the risk for dependence.", and
- "Public health professionals and researchers have proven longstanding public health strategies can reduce tobacco use. These strategies include: Media campaigns, and Expanded access and availability of treatment and counseling for tobacco dependence.

These measures can be coordinated with tobacco prevention and control policies (e.g., price increases, smoke-free policies). Together, they are essential for reducing the toll caused by tobacco product use including disease and death in the United States."

(CDC Smoking and Tobacco Use; Current Cigarette Smoking Among Adults in the United States, Sept. 17, 2024. <https://www.cdc.gov/tobacco/php/data-statistics/adult-data-cigarettes/index.html>)

I hope I've answered your questions. Please feel free to reach out if you have more.

Kindly,
Wendy

Wendy Hansbury RS
Public Health Director
(she/her/hers)([why pronouns matter](#))
Manchester-by-the-Sea Board of Health
10 Central Street
Manchester-by-the-Sea, MA 01944
(978) 526-7385

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From: SHagan@northofboston.com <SHagan@northofboston.com>
Sent: Tuesday, December 3, 2024 4:00 PM
To: Wendy Hansbury <hansburyw@manchester.ma.us>
Subject: [EXTERNAL] - Re: The "generational ban" on smoking in Manchester-by-the-Sea

You don't often get email from shagan@northofboston.com. [Learn why this is important](#)

Hi Wendy.

Thanks very much for your e-mail.

A few additional questions I have are:

- * I wonder how this might impact local retailers?
- * Has there been any pushback from retailers in Manchester?
- * What was the Board of Heath vote total (for and against) to agree to the measure?

Again, thanks.

Stephen

Stephen Hagan
shagan@gloucestertimes.com
(978) 675-2708

From: "Wendy Hansbury" <hansburyw@manchester.ma.us>
To: "SHagan@northofboston.com" <SHagan@northofboston.com>
Cc: "Greg Federspiel" <federspielg@manchester.ma.us>
Date: 12/02/2024 09:12 PM

Subject: The "generational ban" on smoking in Manchester-by-the-Sea

Hello Stephen,

The Manchester-by-the-Sea Board of Health held a public hearing on November 12, 2024, to discuss the Tobacco Regulations including the 'Nicotine Free Generation' initiative. The ban is on the sale of products containing nicotine to people born after January 1, 2004.

After discussion, the Board voted to pass the local regulation with an implementation date of April 1, 2025. This allows time for local businesses to pivot and educate staff.

The regulation has enforcement and violation language that is typical to tobacco regulations at the local and state level. Both the Manchester Board of Health and the North Shore / Cape Ann Tobacco Policy Program emphasize education and prevention as we work cooperatively with retailers. We want to be helpful to businesses implementing this locally as part of efforts to break the cycle of nicotine addiction.

Please let me know if you have any other questions.

Kindly,

Wendy

Wendy Hansbury, RS
Public Health Director
Manchester-by-the-Sea
978-526-7385

Please be advised messages to and from this email account is subject to MGL c66 s10, the Public Records Law.

From: Greg Federspiel federspielg@manchester.ma.us

Sent: Monday, December 2, 2024 11:02 AM

To: Wendy Hansbury hansburyw@manchester.ma.us

Subject: Fw: [EXTERNAL] - The "generational ban" on smoking in Manchester-by-the-Sea

Hello Wendy,

I hope you had a good Thanksgiving.

See below.

Feel free to respond directly to Stephen (cc me please). If you prefer, you can send me the answers to his questions and I can respond.

Thanks,

Greg

Gregory T. Federspiel

Town Administrator

Manchester-by-the-Sea

Town Hall, 10 Central Street

Manchester-by-the-Sea, MA 01944

Office: 978-526-2000

From: SHagan@northofboston.com <SHagan@northofboston.com>

Sent: Monday, December 2, 2024 10:32 AM

To: Greg Federspiel <federspielg@manchester.ma.us>

Subject: [EXTERNAL] - The "generational ban" on smoking in Manchester-by-the-Sea

Town Administrator Gregory Federspiel

Hi Greg.

I'd like to put together a story about the "generational ban" on smoking in Manchester-by-the-Sea.

I understand a measure recently passed.

I wonder.....

- What was agreed to?
- Was this a Select Board action or a vote by the Board of Health?
- What was the vote?
- When did the vote take place?
- What is the basic action that was agreed to?
- In my previous story – the proposal would ban the sale of all tobacco and nicotine products including cigarettes, e-cigarettes, cigars and chewing tobacco to anyone born on or after Jan. 1, 2004. Stores that sold products in violation of the ban would face fines or suspension of their tobacco sales license. Is that correct?
- Is there anything you might like to add that I didn't ask?

Thanks very much.

Stephen

Stephen Hagan

shagan@gloucestertimes.com

(978) 675-2708

