



San Jose Silicon Valley  
**CHAMBER**  
 The Region's Voice of  
 Business Since 1886

September 29, 2014

The Honorable Chuck Reed & Council  
 San Jose City Hall  
 200 East Santa Clara Street  
 San Jose, CA 95113

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 Chamber of Commerce

**REGARDING: MUNICIPAL CODE TO REGULATE TOBACCO PRODUCT SAMPLING**

Mayor Reed:

On behalf of the San Jose Silicon Valley Chamber of Commerce (SJSV Chamber), our 65 member board of directors and our 1500 member businesses, I would like to express our support of the proposed Municipal Code to Regulate Tobacco Product Sampling, proposed by Councilmember Rocha, presently pending before the Neighborhood Services & Education Committee.

The Chamber of Commerce believes, as one of its guiding principles, that the private and public sectors must work collaboratively "to maintain a healthy and safe community". We feel that the proposed municipal code regulation represents a demonstration of such a commitment. Under existing Food & Drug Administration rules, local government is permitted to prohibit or otherwise restrict the distribution of free and reduced-priced samples of tobacco products. In light of the overwhelming evidence of the threat of cigarette smoking on public health, especially when coupled with the consumption of alcohol, we feel that the proposed regulation on discount coupons and other promotions for tobacco products is a net positive for the cost of healthcare in our region.

As a Chamber of Commerce, we are vigilant of any regulation that would unduly burden our member companies without a consequent public good. We feel, however, that this regulation both provides a public health benefit without placing an unfair or frivolous burden upon commerce. In fact, the prohibition against free e-cigarette giveaways and nominal cost tobacco products has already been enacted in San Francisco, Oakland, Hayward, Fremont, Richmond, and forty other municipalities throughout the State of California. We feel that San Jose would be prudent in adding their name to that list.

On behalf of the SJSV Chamber, I want to thank you for your work on behalf of San Jose families and businesses. We would respectfully offer our support to the proposed Municipal Code to Regulate Tobacco Product Sampling, and ask for its approval by Council.

Sincerely,

Matthew R. Mahood  
 President & CEO  
 San Jose Silicon Valley Chamber of Commerce

CC: Vice Mayor Madison Nguyen, Chair – Neighborhood Services & Education Committee  
 Council Member Donald Rocha