



## **LIKELY BEDFELLOWS:** **PARTNERSHIPS FOR HEALTHY CORNER STORES**

**Hannah Burton Laurison, MA**  
**Meliah Schultzman, JD**  
ChangeLab Solutions

**Vic Colman**  
Childhood Obesity Prevention Coalition



# ChangeLab Solutions

**ChangeLab Solutions creates innovative law and policy solutions that transform neighborhoods, cities, and states. We do this because achieving the common good means everyone has safe places to live and be active, nourishing food, and more opportunities to ensure health. Our unique approach, backed by decades of solid research and proven results, helps the public and private sectors make communities more livable, especially for those who are at highest risk because they have the fewest resources.**





The *Network for a Healthy California - Retail Program* facilitates partnerships between neighborhood stores and community health agencies to help increase the consumption and purchase of fruits and vegetables among CalFresh eligible Californians. The *Retail Program* provides retailers statewide with a unique variety of tools, resources, and outreach activities to inspire healthy change among consumers.

Funding for the Retail Program is provided by the USDA's Supplemental Nutrition Assistance Program. The program is led by the California Department of Public Health and administered by the Public Health Institute.



**Hannah Burton Laurison, MA**  
Consultant to ChangeLab Solutions  
ChangeLab Solutions

# Agenda

## The Why and How of Partnerships

- **Healthy Eating Advocate**

Hannah Laurison, ChangeLab Solutions

- **Tobacco Control Advocate**

Meliah Schultzman, ChangeLab Solutions

- **Alcohol Control Advocate**

Vic Colman,  
Childhood Obesity Prevention Coalition

- **Q&A followed by Virtual Office Hours**



# Typical Corner Store Business Model





Minimum of seven dollar, using credit cards or ATM and no cash back.

PAID MAIL

\$3.85

DISCOVER

TIPS

475

ICE CREAM

ICE CREAM



PAID MAIL  
\$3.85

ICE CREAM



PAID MAIL

\$3.85

DISCOVER

TIPS

475

ICE CREAM

# How can stores shift to a **healthy food retail business model**?

Standards



+



Incentives

+



=



**Bananas!**  
(and other healthy stuff)

**POLL:**

**DO YOU CURRENTLY  
PARTNER IN YOUR  
HEALTHY FOOD RETAIL  
WORK WITH ALCOHOL  
AND TOBACCO CONTROL  
OR HEALTHY EATING  
ADVOCATES?**



# **CHALLENGES TO PARTNERSHIPS FOR HEALTHY CORNER STORES**

- Different regulatory framework
- Separate funding streams
- Different strategies for change



# **Food Retail Law 101**



# What laws affect retailers?



**Federal**



**State**

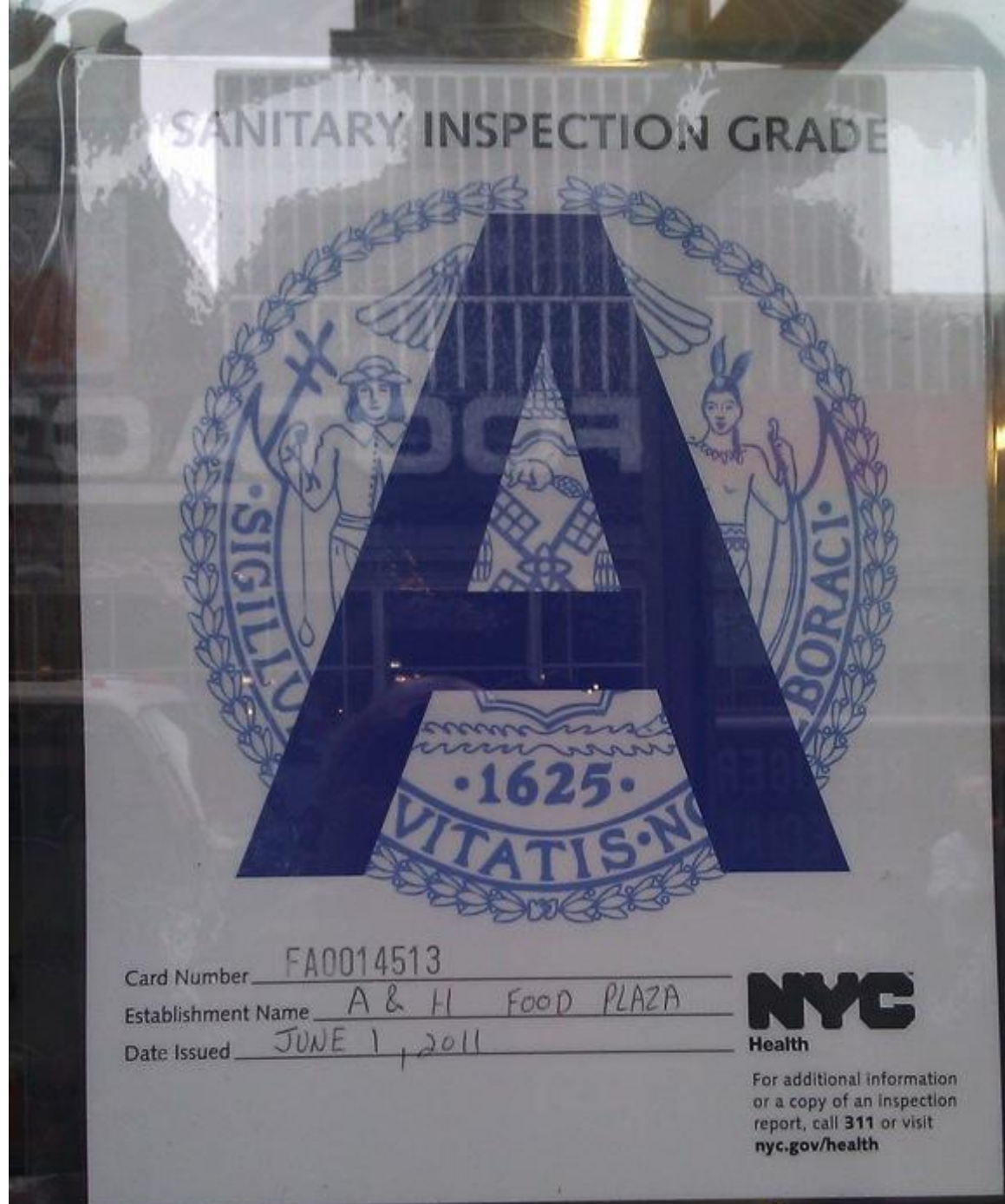


**Local**

# Retail food code

Set by state

Enforced by  
counties



# Local Laws



- Operating hours
- Facade
- Parking
- Lighting

# The First Amendment



# Federal nutrition programs

- SNAP
  - Retailer stocking standards
  - EBT
  - Trafficking & fraud
- WIC
  - Retailer stocking standards
  - Fraud



## **And that's not all!**

- Consult with your agency, local planning departments, and county counsel
- Make sure participating stores comply with established laws



# Partnerships with tobacco control

- Background
- Existing regulatory framework
- Opportunities for collaboration



**Meliah Schultzman, JD**  
**Staff Attorney**  
**ChangeLab Solutions**



# Partnerships with tobacco control

- Background
- Existing regulatory framework
- Opportunities for collaboration

# Different perspectives



How can I  
regulate this  
store?



Tobacco  
control

# Different perspectives



How can I get more healthy foods into this store?



**Nutrition  
advocate**

# Existing regulations - tobacco



# Existing regulations - tobacco



# Existing regulations - tobacco

## Local activity not preempted

**CITY OF CERRITOS**

**TOBACCO RETAILER'S LICENSE APPLICATION**

**This Application is for (Check one):**

- ☐ New License
- ☐ Annual Renewal
- ☐ Reissuing a Revoked License
- ☐ Change of Ownership

**BUSINESS INFORMATION**

Business Name \_\_\_\_\_ Phone Number \_\_\_\_\_

Business Address \_\_\_\_\_

Business Mailing Address \_\_\_\_\_

Previous Name of Business at This Address (if any) \_\_\_\_\_

State of California Board of Equalization Tobacco Retailer's License Number \_\_\_\_\_

City of Cerritos Business License Number \_\_\_\_\_

**OWNER INFORMATION**

#1 Owner/Operator Name	Home/Cell Number	Driver License Number
_____	_____	_____
#2 Owner/Operator Name	Home/Cell Number	Driver License Number
_____	_____	_____

**ANNUAL TOBACCO RETAILER'S LICENSE FEE—\$50**  
Please submit payment to CITY OF CERRITOS—TOBACCO RETAILER'S LICENSE with your application.

A tobacco retailer's license from the City of Cerritos is required before retailing any tobacco, tobacco products, or paraphernalia, and is contingent upon the observance of all federal, state and local tobacco laws. Selling tobacco without a license is a serious offense, and could result in substantial penalties including fines and the denial of future City of Cerritos tobacco retailer's licenses. Licenses are issued to fixed addresses only, and each address requires a separate license.

I hereby apply for a tobacco retailer's license, with the appropriate fees attached, to operate at the above address in the City of Cerritos and I also state that the information given on this form is true and correct.

Owner(s) Signature \_\_\_\_\_ Date \_\_\_\_\_



# Opportunities for collaboration

- Licensing
- Certification programs
- Signage restrictions

# Licensing

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

## PUBLIC NOTICE OF APPLICATION TO SELL ALCOHOLIC BEVERAGES

APPLICANT WALT DISNEY WORLD CO.  
TYPE OF LICENSE 47 ON SALE GENERAL PLACE  
BUSINESS NAME MAGICAL CATERING CO.  
ADDRESS OF PREMISES 1313 S. HARBOR BLVD. DISNEYLAND PARK ANAHEIM 92802-3201  
APPLICANT HAS FILED FOR: PREMISES TO PREMISES TRANSFER

NEW LICENSE  
CHANGE OF BUSINESS PREMISES

TO BE MADE AGAINST THIS APPLICATION, IT MUST BE RECEIVED BY ANY OFFICE OF ALCOHOLIC BEVERAGE CONTROL HEADQUARTERS, 3937 LENHAME DRIVE, SUITE 100, SACRAMENTO 95834, BEFORE THE PROTESTS MUST BE VERIFIED. FURTHER INFORMATION REGARDING THIS APPLICATION MAY BE OBTAINED AT THE ALCOHOLIC BEVERAGE CONTROL OFFICE OR ASSISTANCE.

State of California

## Contractors State License Board

Pursuant to Chapter 9 of Division 3 of the Business and Professions Code and the Rules and Regulations of the Contractors State License Board, the Registrar of Contractors does hereby issue this license to:

**S & H CONTRACTING INC**

to engage in the business or act in the capacity of a contractor in the following classification(s):  
**B - General Building Contractor**

Witness my hand and seal this day,  
\_\_\_\_\_  
Registrar



2007/2008 CALIFORNIA RESIDENT HUNTING LICENSE

Valid July 1, 2007 through June 30, 2008

Name \_\_\_\_\_ Issue Date \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Sex \_\_\_\_\_ Hair \_\_\_\_\_ Driver License/DL# \_\_\_\_\_  
Height \_\_\_\_\_ Weight \_\_\_\_\_  
Date of Birth \_\_\_\_\_



CALIFORNIA DRIVER LICENSE

DL **I1234568**  
EXP **08/31/2015**  
LN **CARDHOLDER**  
FN **IMA**  
2570 24TH STREET  
SACRAMENTO, CA 95818  
DOB **08/31/1977**  
RSTR **NONE**

CLASS C  
END NONE

SEX **F** HAIR **BLK** EYES **BRN**  
HGT **5'-05"** WGT **125 LB**  
DOB **08/31/1977** ISS **08/30/2010**

Ima Cardholder

# Opportunities for collaboration

- Licensing
- Certification programs
- Signage restrictions

# Licensing

**WHO** can do business

**WHERE** can they locate

**WHAT** conditions must be met

**HOW** conditions will be  
enforced

BUSINESS LICENSE TAX CERTIFICATE		CITY OF LIVERMORE	
<small>The person, firm or corporation named below is granted this certificate pursuant to the provisions of the City Business Tax Ordinance to engage in, carry on or conduct the business, trade, calling, profession, exhibition or occupation described below. Issuance of certificate is not an endorsement, nor certification of compliance with other ordinances or laws, nor an assurance that the proposed use is in conformance with the city zoning regulations. This certificate is issued without verification that the taxpayer is subject to or exempt from licensing by the State of California.</small>			
<b>BUSINESS NAME:</b>	Digital Bear Consulting	<b>BUSINESS CLASS NO.:</b>	0300
<b>BUSINESS LOCATION:</b>	Livermore, CA 94550	<b>DESCRIPTION:</b>	Computer Programming Services
<b>BUSINESS OWNER:</b>	Dale K Brearcliffe		
<div>DIGITAL BEAR CONSULTING P O BOX 2925 LIVERMORE, CA 94551</div>		<div>Business Identification Number: <b>970338</b></div> <div>Expiration Date: December 31, 2003</div>	
TO BE POSTED IN A CONSPICUOUS PLACE		NOT TRANSFERABLE	

# Tobacco retailer licensing



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Law & policy innovation for the common good.

## Model California Ordinance Requiring a Tobacco Retailer License

(with Annotations)

Revised June 2013 (Originally issued September 1998)

Developed by ChangeLab Solutions

This material was made possible by funds received from Grant Number 09-11182 with the California Department of Public Health, California Tobacco Control Program.

*ChangeLab Solutions is a nonprofit organization that provides legal information on matters relating to public health. The legal information provided in this document does not constitute legal advice or legal representation. For legal advice, readers should consult a lawyer in their state.*

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## "Plug-in" Policy Provisions for a Tobacco Retailer License



Several communities have prohibited businesses that contain pharmacies from obtaining tobacco retailer licenses because these businesses often provide health-related services to the public.

More than 100 communities in California have passed tobacco retailer licensing ordinances, many of which have particularly effective fee and enforcement provisions. For a list of communities with strong tobacco retailer licensing laws and the Plug-ins they have incorporated, see the Center for Tobacco Policy & Organizing's Matrix of Strong Local Tobacco Retailer Licensing Ordinances at [www.centerfortobacopoly.org/localpolicies/licensing](http://www.centerfortobacopoly.org/localpolicies/licensing).

Your community has a range of policy choices to consider when designing a local tobacco retailer licensing ordinance. Our Model California Ordinance Requiring a Tobacco Retailer License ("Model TRI") contains the basic elements for an effective licensing ordinance that can be used to enforce federal, state, and local tobacco control laws. From there, communities can include additional policy options, or "Plug-ins," to enhance the ordinance and address local public health concerns related to tobacco use.

This fact sheet describes each of the Plug-ins. The Model TRI, and Plug-ins are available at [www.changelabsolutions.org/tobacco-control](http://www.changelabsolutions.org/tobacco-control). If you would like help adapting any of these models for your community, please contact us at [www.changelabsolutions.org/tobaccoquestions](http://www.changelabsolutions.org/tobaccoquestions).

### Restrictions on Eligibility for a License

A local tobacco retailer licensing ordinance allows a community to exercise better control over where tobacco products are sold. These Plug-ins limit the types of businesses and the locations that are eligible for a tobacco retailer license. Limiting where tobacco is sold can reduce youth access to tobacco products and facilitate enforcement of the licensing provisions.

#### Tobacco-free pharmacies

This Plug-in prohibits businesses that contain pharmacies from obtaining a tobacco retailer license. The sale of tobacco products at stores containing pharmacies may convey a mixed message to consumers, who often rely on these businesses for health-related services. Because stores containing pharmacies frequently provide health-related information to the public, communities may be concerned that the sale of tobacco at these stores conveys a tacit approval of these products to the public. Further, stores containing pharmacies often stock tobacco products near cessation aids, compromising the efforts of smokers who are trying to quit.

#### No licenses near schools

This Plug-in prohibits a license for a business operating too close to a school or other area frequented by youth. Children are more likely to experiment with tobacco products when tobacco retailers are located near schools. Communities can use this Plug-in to establish "tobacco-free zones" that restrict tobacco sales within a certain distance of schools, playgrounds, libraries, and similar venues.

#### New tobacco retailers must be a specified distance from current retailers

To prevent the concentration of tobacco retailers within particular neighborhoods, this Plug-in restricts how close tobacco retailers may be to one another. The number of tobacco retailers in a neighborhood affects youth smoking behaviors and youth access to tobacco products. Additionally, in some communities, disadvantaged neighborhoods are disproportionately impacted by high tobacco retailer density.



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APPENDIX A: FINDINGS

# Model Licensing Ordinance for Healthy Food Retailers

# Certification programs

MEMBER STORE

PHILADELPHIA HEALTHY CORNER STORE



COMMUNITIES  
PUTTING PREVENTION  
TO WORK

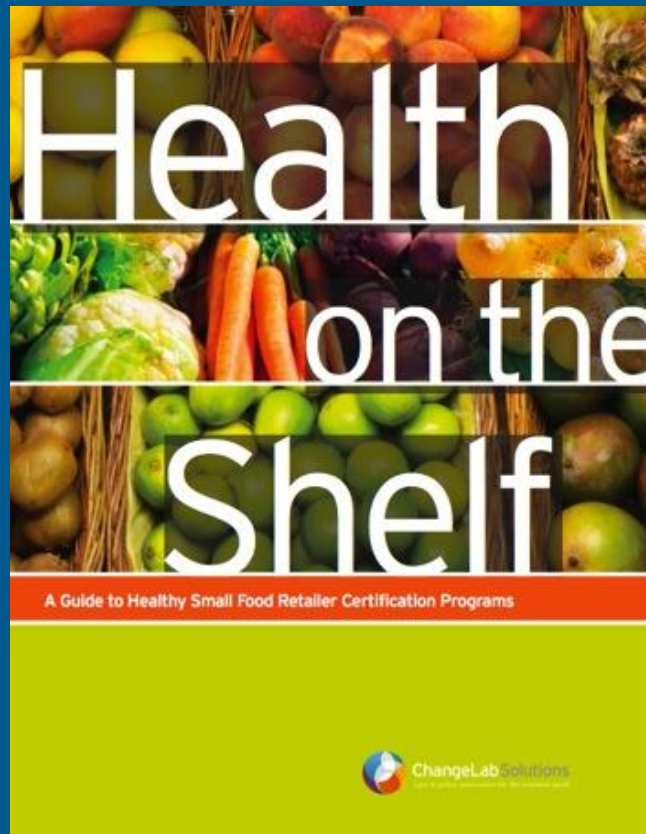


The Food Trust  
THEFOODTRUST.ORG



## Resource

# *Health on the Shelf: A Guide to Healthy Small Food Retailer Certification Programs*



AVAILABLE AT  
[changelabsolutions.org](http://changelabsolutions.org)

# Signage restrictions



# Signage restrictions



Image: Youth Leadership Institute



**Vic Colman**  
**Childhood Obesity Prevention**  
**Coalition**



# STRATEGIES TO IMPROVE AND SUPPORT LOCAL FOOD STORES

July 2, 2013

**Victor Colman, JD**



# LEARNING OBJECTIVES

- Understand the regulatory world of retail alcohol
- Develop initial ideas on how nutrition and alcohol policy advocates can work together in their corner store efforts



# The Alcohol Policy Playbook: The “4 P’s”

## Promotion



## Place



## Product



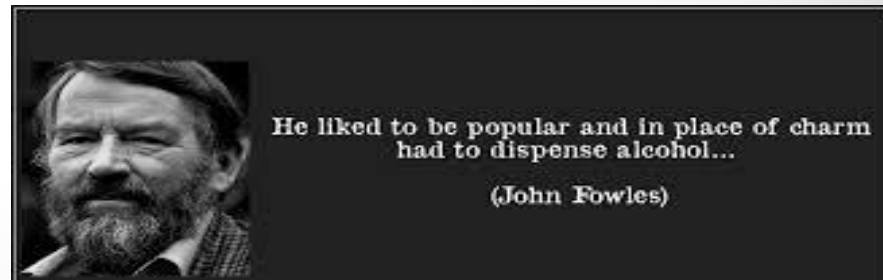
## Price



# Current Approaches by Alcohol Policy Advocates: Place

## Regulatory framework for retail alcohol in CA

- ❑ CA is a “license” state, with regulatory oversight provided by the state Alcoholic Beverage Control (ABC)
- ❑ Local land use regulation – key concepts
  - Input on state liquor licensing
  - Land use: *Conditional Use Permits (CUPs); Deemed approved; Public convenience or necessity*
  - Nuisance Abatement



# Nutrition and Alcohol Control: Opportunities for Collaboration

## Shared Goals:

- Using youth to help outreach to store owners
- Gain buy-in by local store owners regarding community improvement
- Offer value-adds to local business regarding healthier approaches
  - Community support
  - Stronger business model

# Nutrition and Alcohol Control: Opportunities for Collaboration

## Carrots before Sticks?

- ☐ Voluntary approaches to decrease negative signage and access
- ☐ Healthy signage: how to promote healthier food and beverages



# Nutrition and Alcohol Control: Opportunities for Collaboration

## But Sticks Can Be Effective

- ❑ Pricing -- need to make healthier choices cheaper and unhealthy choices more expensive (e.g., taxes)
- ❑ Compliance checks – how to utilize scarce resources for enforcement
- ❑ An innovative idea is to have local government create “**child health/safety zones**” where certain proposed retail land uses (*alcohol, tobacco, marijuana, guns*) cannot be sited certain distances from schools and early learning centers



# Conclusions

- Cross-sector collaboration essential – don't want different parts of public health tripping over each other in their business outreach efforts
- Public health can be a change agent in many ways but working with retail businesses requires special care





*THANK YOU!*

**Victor Colman, JD**  
**[vicsolutions@comcast.net](mailto:vicsolutions@comcast.net)**  
**360.878.2543**

# What are **healthy corner store** standards?

Standards



+



Incentives

+



=



**Bananas!**  
(and other healthy stuff)

# What are **healthy corner store** standards?

Standards



+



Incentives

+



Enforcement

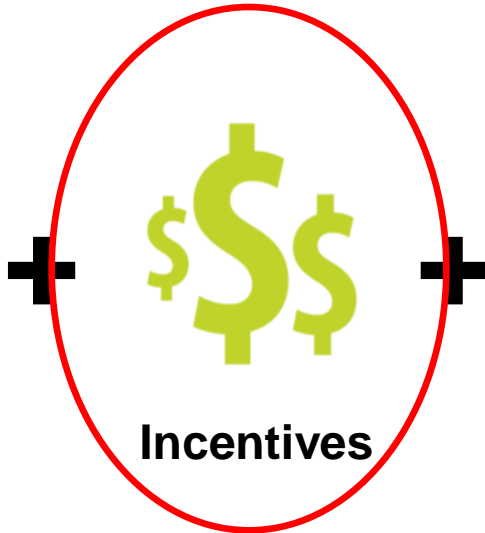
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**Bananas!**  
(and other healthy stuff)

# What are **healthy corner store** standards?

Standards



Enforcement



=



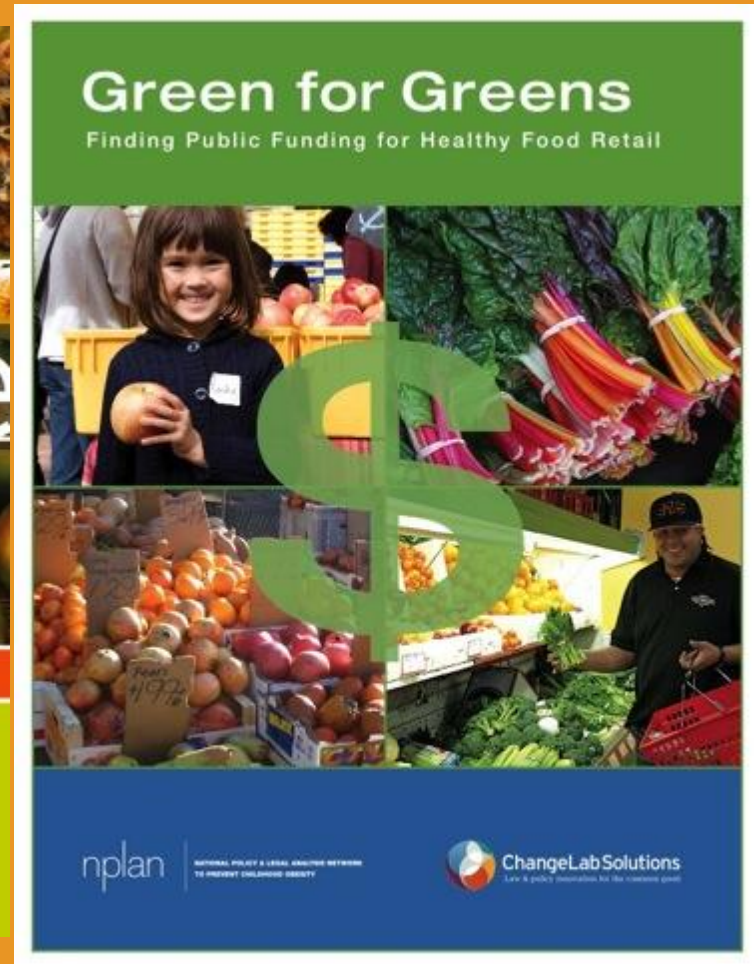
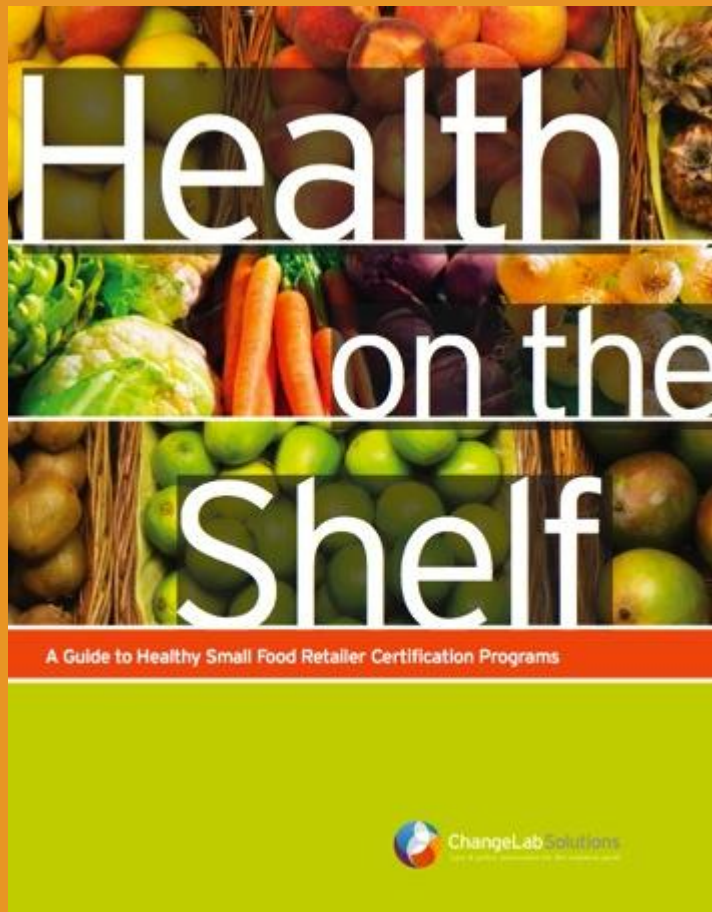
**Bananas!**  
(and other healthy stuff)

# **OPPORTUNITIES FOR PARTNERSHIPS FOR HEALTHY CORNER STORES**

- **Voluntary approaches**
  - Certification
  - Signage
- **Partnerships towards policy**
  - Licensing and zoning
  - Signage
  - Pricing

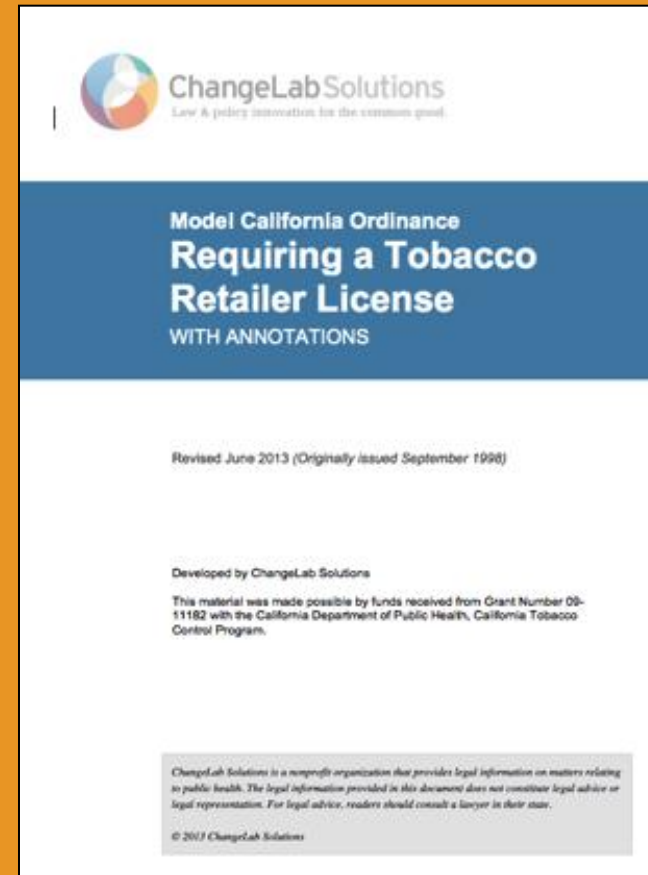
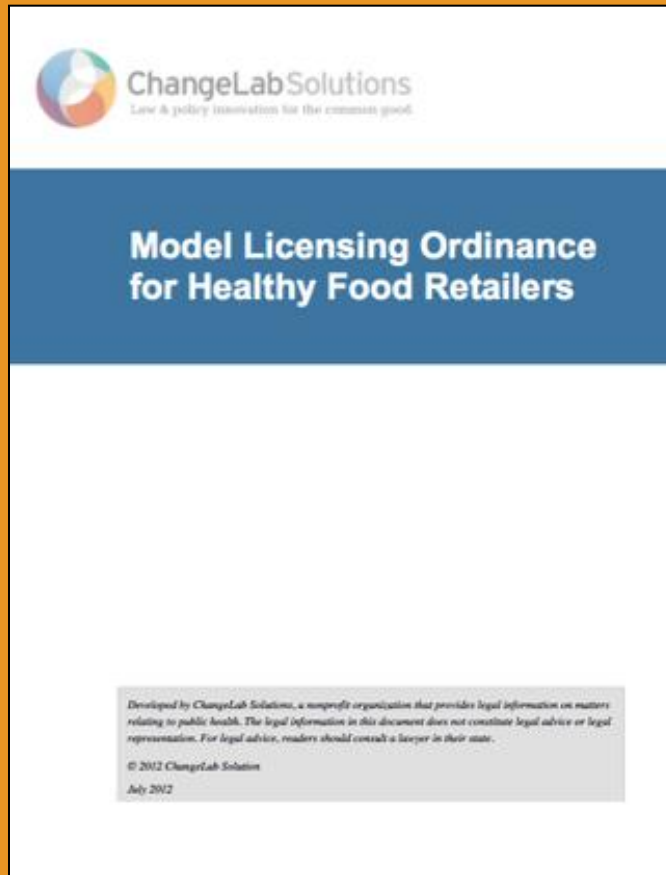


# HEALTHY FOOD RETAIL RESOURCES



AVAILABLE AT  
[changelabsolutions.org](http://changelabsolutions.org)

# HEALTHY FOOD RETAIL RESOURCES



AVAILABLE AT  
[changelabsolutions.org](http://changelabsolutions.org)

# HEALTHY FOOD RETAIL RESOURCES

philnet.org | nplanonline.org October 2009



**Creating a Healthy Food Zone Around Schools**  
**A Fact Sheet for Advocates**

*This fact sheet answers common questions about NPLAN's Model Healthy Food Zone Ordinance, which was developed to help communities limit children's access to the kinds of foods most likely to contribute to childhood obesity.*

Many schools are surrounded by fast food restaurants, which provide students with easy access to unhealthy foods and undermine schools' efforts to offer nutritious meals. Prohibiting fast food restaurants from locating near schools is one strategy to help reduce childhood obesity and support schools striving to improve students' health. NPLAN has developed a model ordinance that creates a "healthy food zone" by restricting fast food restaurants near schools or other areas children are likely to frequent.

**Why would a community enact a "healthy food zone" ordinance?**  
Childhood obesity is epidemic in the United States. Over the last 25 years obesity rates in children and teens have tripled.<sup>1</sup> Today 16.3 percent of children and adolescents ages 2 to 19 are obese, and 31.9 percent are obese or overweight.<sup>2,3,4</sup> Recent studies show that if this trend continues, today's young people may be the first generation in American history to live sicker and die younger than their parents' generation.<sup>5</sup> At least one study has shown that students with fast food restaurants within a half-mile of their school are more likely to be overweight than students whose schools are not near fast food restaurants.<sup>6</sup>

philnet public health law & policy nplan NATIONAL POLICY & LEGAL ANALYSIS NETWORK TO PREVENT CHILDHOOD OBESITY

nplan NATIONAL POLICY & LEGAL ANALYSIS NETWORK TO PREVENT CHILDHOOD OBESITY philnet public health law & policy

## Model Healthy Food Zone Ordinance

Creating a Healthy Food Zone Around Schools by Regulating the Location of Fast Food Restaurants (and Mobile Food Vendors)

Developed by the National Policy & Legal Analysis Network to Prevent Childhood Obesity (NPLAN)

Support provided by the Robert Wood Johnson Foundation through the Healthy Eating Research program

www.nplanonline.org | www.philnet.org

AVAILABLE AT  
**changelabsolutions.org**

# HEALTHY CORNER STORES NETWORK

CHANGELAB SOLUTIONS • THE FOOD TRUST • URBANE DEVELOPMENT



- quarterly webinars
- list serv
- technical assistance referrals
- networking

[www.healthycornerstores.org](http://www.healthycornerstores.org)

# **DISCLAIMER**

**The information provided in this discussion is for informational purposes only, and does not constitute legal advice. ChangeLab Solutions does not enter into attorney-client relationships.**


**ChangeLab Solutions is a non-partisan, nonprofit organization that educates and informs the public through objective, non-partisan analysis, study, and/or research. The primary purpose of this discussion is to address legal and/or policy options to improve public health. There is no intent to reflect a view on specific legislation.**

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**THANK YOU!**

[changelabsolutions.org](http://changelabsolutions.org)



A woman with dark hair and glasses, wearing a green long-sleeved shirt, is seen from the side, writing on a chalkboard. The chalkboard is filled with various mathematical problems and formulas. A speech bubble is overlaid on the image, containing the text "... so the best way to partner is...".

... so the best way  
to partner is...

**Resource:**

**Virtual office hours & technical assistance**



## GETTING STARTED:

- Identify the tobacco and alcohol control advocates in your community.
- Get to know their goals and strategies – and share yours.

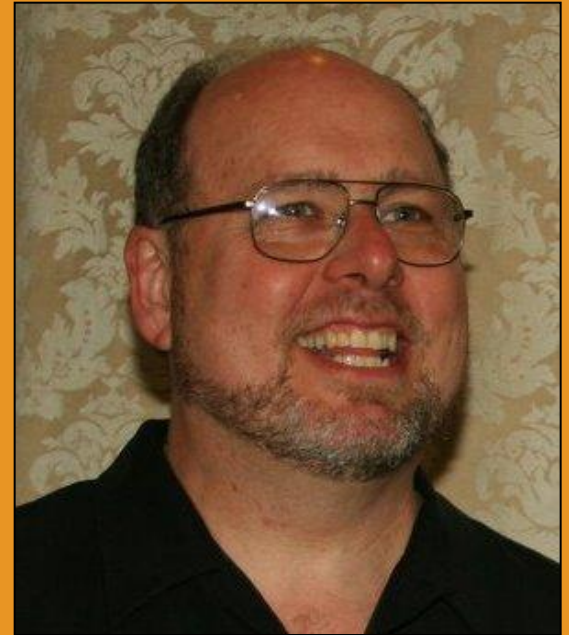




## MAPPING A PATH:

- Identify common future goals – for standards, incentives, and enforcement.
- Think about how partnerships with retailers can lay foundation for future goals.





**Thank you!**

[info@changelabsolutions.org](mailto:info@changelabsolutions.org)

**FOR ADDITIONAL RESOURCES, VISIT:**

[changelabsolutions.org](http://changelabsolutions.org)

