

**Santa Clara County Public Health Department  
Tobacco-Free Communities Program  
City-County Tobacco Retail Permitting Annual Summary**

In August 2017, the County of Santa Clara and the Town of Los Gatos entered in a City-County Tobacco Retail Permitting (TRP) Agreement where the County is responsible for the implementation, administration, monitoring, and enforcement (except tobacco sales to minors laws) of the Town’s ordinance. Below is an annual summary of the ordinance within its first year of implementation.

**OVERVIEW OF LOS GATOS’S TOBACCO RETAIL LANDSCAPE**

Prior to the implementation of the TRP, there were a total of 29 tobacco retailers in the Town of Los Gatos. However, post-policy implementation has resulted in a decrease of ten tobacco retailers. Five businesses were restricted from selling tobacco products because they had a licensed pharmacist on-site (Rite Aid and Safeway), four businesses did not apply for the TRP and are no longer engaging in the sale of tobacco products (Maple Leaf Donuts, Blossom Valley Valero, Safeway Store 742, and Lunardi’s Market), and two locations are no longer in business (Smith’s Liquor and Los Gatos Cigar Club).

As of September 2019, a total of 19 businesses are permitted by the Santa Clara County Department of Environmental Health to sell tobacco products in the Town of Los Gatos (see Table 1). Eleven stores are located within 500 feet of an existing tobacco retailer and 10 are located within 1,000 feet of a school (defined as public or private elementary, middle, junior high, and high school). Currently, there are no adult-only tobacco stores operating in the Town of Los Gatos.

Since the effective date of the Tobacco Retail Permitting Ordinance, no new businesses have made attempts to apply for a TRP. However, we identified one new e-commerce business engaging in tobacco sales and we are determining their tobacco retail permit eligibility.

Table 1: List of Permitted Tobacco Retailers in the Town of Los Gatos

Store Name	Address	500 ft. of tobacco retailers	1,000 ft. of schools
1. Los Gatos 76 (Mobil)	666 N. Santa Cruz Ave.	7-11 2233-14221 (235 ft.)	
2. Rotten Robbie #1	15299 Los Gatos Blvd.	Los Gatos 76 (Los Gatos Blvd) (258 ft.)	
3. Marsh Fuel (Los Gatos Chevron)	200 Los Gatos Saratoga Rd.	Village Liquors (160 ft.), Shell of Los Gatos (396 ft.)	
4. Carry Nations	8 N. Santa Cruz Ave.		St. Mary's Catholic School (310 ft.)
5. Los Gatos Valero	16500 Los Gatos Blvd.	Los Gatos Wines & Liquor (85 ft.)	Louis Van Meter Elementary (302 ft.)
6. 7-Eleven Store 2233-14221	657 N. Santa Cruz Ave.	Los Gatos 76 (Santa Cruz Ave.) (235 ft.)	
7. Village Liquors	211 Los Gatos Saratoga Rd.	Marsh Fuel (160 ft.), Shell of Los Gatos (411 ft.)	
8. Los Gatos Chevron	700 Blossom Hill Rd.		

9. Los Gatos Almaden Chevron	441 Leigh Ave.		Stratford School Los Gatos (755 ft.), South Valley Carden School (SJ) (650 ft.), Leigh High School (SJ) (144 ft.)
10. 7-Eleven Store 2233-14211B	280 E. Main St.	Dio Deka (478 ft.)	Los Gatos High (177 ft.)
11. Los Gatos Wine & Liquors	16498 Los Gatos Blvd.	Los Gatos Valero (85 ft.)	Louise Van Meter Elementary (220 ft.)
12. Dio Deka	210 E. Main St.	7-11 #2233-14211B (478 ft.)	Los Gatos High (110 ft.)
13. Los Gatos Cigar Club	21 College Ave.		Los Gatos High (734 ft.)
14. MJ Market & Liquor	15665 Los Gatos Blvd.		
15. Valero of Los Gatos (formerly Shell of Los Gatos)	255 Los Gatos Saratoga Rd.	Marsh Fuel (396 ft.), Village Liquors (411 ft.)	
16. Rinconada Liquor Store	1480 Pollard Rd.		Rolling Hills Middle School (Campbell) (348 ft.)
17. Los Gatos 76	15380 Los Gatos Blvd.	Rotten Robbie #1 (258 ft.)	
18. Black Watch	141 ½ N. Santa Cruz Ave.		St. Mary's Catholic School (509 ft.)
19. Lark Ave. 76	15171 Los Gatos Blvd.		Rainbow of Knowledge Elementary School (521 ft.)

### **LOS GATOS TOBACCO RETAILER INSPECTIONS**

The Santa Clara County Department of Environmental Health conducted tobacco compliance checks in the permitted Los Gatos tobacco retailers during the month of March 2019. Please see Table 2 for summary of outcomes. All the stores listed above, with the exception of Lark Ave. 76 were visited.

Table 2: Summary of the Tobacco Compliance Checks

Indicator	% Stores in Compliance
Santa Clara County (SCC) TRP Available	94% (n=16)
SCC TRP Posted in Public View	59% (n=10)
California Department of Tax and Fee Administration (CDTFA) Tobacco License Posted in Public View	88% (n=15)
Self-Service Tobacco and/or Electronic Smoking Device Displayed	100% (n=17)
STAKE Act Warning Signs Posted at Point(s) of Purchase	71% (n=12)
Sale of Cigarette Packs Containing <20 Cigarettes	100% (n=17)
Advertising and Signage Covers >15% of Windows and Clear Doors	88% (n=15)
Advertising and Signage Obstructs a Clear View into the Interior of the Premises	88% (n=15)

Sale of Flavored Tobacco Products	71% (n= 12)
Tobacco Sampling and/or Coupon Distribution	100% (n=17)
Smoking in an Enclosed Space at a Place of Employment	100% (n=17)

As reflected in Table 2, all the stores have a SCC TRP, and almost all the stores had them available in the store during the time of the visit. A little over half of stores had their SCC TRP posted in public view, a requirement of the Ordinance, and remaining stores were asked by the Santa Clara County Department of Environmental Health Inspector to correct the issue. More than three-quarters of stores had their CDTFA tobacco license posted in public view and those that did not were asked by the Inspector to correct the issue. Over three-quarters of the stores had their STAKE (Stop Tobacco Access to Kids Enforcement) Act sign posted at each point of purchase. To support stores come in compliance with this, Santa Clara County Public Health Department staff have mailed the required signage to the businesses. Over two-thirds of stores were in compliance with the flavored tobacco restriction, however stores that were out of compliance were asked to immediately cease the sales of all flavored tobacco products. The Santa Clara County Department of Environmental Health mailed follow-up letters to businesses notifying them of their violations and conducted re-inspection visits in September 2019, particularly to ensure that stores not exempted from the flavored tobacco restriction have continued to cease sales of flavored tobacco products.