

## Communication from Public

**Name:** Rima S. Khoury  
**Date Submitted:** 06/11/2021 01:15 PM  
**Council File No:** 13-0068-S2

**Comments for Public Posting:** My name is Rima S. Khoury and I am one of the founding members of the National Hookah Community Association and Hookah Chamber which was established to protect and preserve the cultural tradition of hookah.  
<https://www.nationalhookah.com/> Before you inadvertently vote to ban the thousand year cultural tradition of hookah in Los Angeles at the June 15/16 city council meeting, please understand the facts. Please see presentation link below for your consideration.  
<https://docs.google.com/presentation/d/1ncei30aa64p7Tq3CJPL2Yppde0VZ8iyN2mRg5EPPHkQ/present?usp=sharing> There is no teen hookah epidemic. The FDA and CDC reports have made it clear that hookah is not the problem with youth. There are no facts that support a ban on hookah. Hookahs are not being confiscated in schools. Hookahs are 3 feet tall and cannot be easily concealed in your pocket or backpack like vape. Hookahs take 25 – 30 minutes to set up and need hot coals, therefore it cannot be smoked during recess in the bathroom at school. Hookah's cost over \$200 for all the parts and accessories, making it out of reach for most kids. California Gov. Gavin Newsom stated in his executive order address on September 16, 2019 that "hookah is not the problem in classrooms". See video link <https://youtu.be/XWjL4r8TWaU> Furthermore, FDA recently stated in their Guidance for the Industry dated January 2020 that although data shows that flavored tobacco entice youth, that such data does NOT appear to raise comparably urgent public health concerns with youth usage of hookah products because the lower prevalence of youth use of these products suggests that they do NOT appear to be as appealing to youth at this time. Emphasis added. Hookah is not the problem. Yet hookah is becoming collateral damage in the war against vape. Hookah is not vape. Hookah has been practiced for over a thousand years by Persians, Arabs, Armenians, Turks, Indians, and other minority groups many of which have immigrated to America and still practice their cultural traditions. Hookah is the center piece of social gatherings and is often offered to guests as a sign of hospitality and respect. Many immigrant small business owners have built their business doing what they know from their home country. Often times they work 20 hour days, seven days a week to support multiple generations of their family. Rather than banning hookah and crippling these immigrant small business owners who are already struggling due to COVID-19, please consider passing reasonable regulations that address youth usage and access. Many of these business owners that have been operating legally for years would be happy to work with law makers to address youth access issues. These hookah lounge and retailer owners often have several years remaining on their leases and have personally guaranteed their leases. They will not only lose their business, but their homes and no longer be able to support their family and extended family. A tobacco flavor ban is a ban on hookah because it only comes in flavors. Even hundreds of years ago hookah was made with molasses and honey. The federal government has recently passed a 21 and over minimum for tobacco products across all fifty states. In addition, the FDA has passed an e-cigg ban on flavored cartridges. September 9, 2020 is the FDA deadline for all vape and hookah products to be accepted for FDA review, after which any products without FDA authorization will be unlawfully on the market and their products seized and injunctions restricting sales will be issued along with fines and penalties. Just recently the FDA announced that they will be banning menthol. The federal government is addressing the youth access issue and also providing legislation across the board, eliminating the patchwork of laws from city to city and closing loop holes for bad actors to skirt the law. Hookah has been exempted from the California State flavored tobacco ban, SB793, because of its cultural significance and that it is fundamentally different from vape. Senator Hill, author of the bill, explaining why hookah was exempted from SB793 at the Senate Appropriations hearing on June 25th, 2020. Senator Hill learned the difference between vape and hookah and understood that hookah was not the problem and took steps to exempt it due to its cultural significance. We ask that Los Angeles City do the same. <https://www.youtube.com/watch?v=9qlUH3hmvUc> The Culture of Hookah | An Exploration of History and Tradition Respectfully, /s/ Rima S. Khoury National Hookah Community Association



Preserving Hookah Culture & Protecting Hookah Tradition across the USA

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June 11, 2021

Dear Mayor and Councilmembers,

My name is Rima S. Khoury and I am one of the founding members of the National Hookah Community Association and Hookah Chamber which was established to protect and preserve the cultural tradition of hookah.

<https://www.nationalhookah.com/> Before you inadvertently vote to ban the thousand year cultural tradition of hookah in Los Angeles at the June 15/16 city council meeting, please understand the facts.

Please see presentation link below for your consideration.

<https://docs.google.com/presentation/d/1ncei30aa64p7Tq3CJPL2Yppde0VZ8iyN2mRg5EPPHkQ/present?usp=sharing>

There is no teen hookah epidemic. The FDA and CDC reports have made it clear that hookah is not the problem with youth. There are no facts that support a ban on hookah.

Hookahs are not being confiscated in schools. Hookahs are 3 feet tall and cannot be easily concealed in your pocket or backpack like vape. Hookahs take 25 – 30 minutes to set up and need hot coals, therefore it cannot be smoked during recess in the bathroom at school. Hookah's cost over \$200 for all the parts and accessories, making it out of reach for most kids.

California Gov. Gavin Newsom stated in his executive order address on September 16, 2019 that "hookah is not the problem in classrooms". See video link <https://youtu.be/XWjL4r8TWaU>

Furthermore, FDA recently stated in their Guidance for the Industry dated January 2020 that although data shows that flavored tobacco entice youth, that such data does NOT appear to raise comparably urgent public health concerns with youth usage of hookah products because the lower prevalence of youth use of these products suggests that they do NOT appear to be as appealing to youth at this time. Emphasis added.

Hookah is not the problem.

Yet hookah is becoming collateral damage in the war against vape. Hookah is not vape. Hookah has been practiced for over a thousand years by Persians, Arabs, Armenians, Turks, Indians, and other minority groups many of which have immigrated to America and still practice their cultural traditions. Hookah is the center piece of social gatherings and is often offered to guests as a sign of hospitality and respect.



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Many immigrant small business owners have built their business doing what they know from their home country. Often times they work 20 hour days, seven days a week to support multiple generations of their family. Rather than banning hookah and crippling these immigrant small business owners who are already struggling due to COVID-19, please consider passing reasonable regulations that address youth usage and access. Many of these business owners that have been operating legally for years would be happy to work with law makers to address youth access issues. These hookah lounge and retailer owners often have several years remaining on their leases and have personally guaranteed their leases. They will not only lose their business, but their homes and no longer be able to support their family and extended family.

**A tobacco flavor ban is a ban on hookah because it only comes in flavors.** Even hundreds of years ago hookah was made with molasses and honey.

The federal government has recently passed a 21 and over minimum for tobacco products across all fifty states. In addition, the FDA has passed an e-cigg ban on flavored cartridges. September 9, 2020 is the FDA deadline for all vape and hookah products to be accepted for FDA review, after which any products without FDA authorization will be unlawfully on the market and their products seized and injunctions restricting sales will be issued along with fines and penalties. Just recently the FDA announced that they will be banning menthol. The federal government is addressing the youth access issue and also providing legislation across the board, eliminating the patchwork of laws from city to city and closing loop holes for bad actors to skirt the law.

Hookah has been exempted from the California State flavored tobacco ban, SB793, because of its cultural significance and that it is fundamentally different from vape. Senator Hill, author of the bill, explaining why hookah was exempted from SB793 at the Senate Appropriations hearing on June 25<sup>th</sup>, 2020. Senator Hill learned the difference between vape and hookah and understood that hookah was not the problem and took steps to exempt it due to its cultural significance. We ask that Los Angeles City do the same.

SB793, which, as amended and revised, prohibits the sale of all flavored tobacco products and flavored tobacco product enhancers, exempting hookah tobacco, cigars with a wholesale price of \$12.00 or more, loose leaf pipe tobacco was signed by Governor Gavin Newsom on August 28, 2020. SB793 was referendized and is expected to be on the November 2022 general election ballot.

Please see the hookah exemption language from SB793 below:



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- (c) Subdivision (b) does not apply to the sale of flavored shisha tobacco products by a hookah tobacco retailer if all of the following conditions are met:
- (1) The hookah tobacco retailer has a valid license to sell tobacco products issued pursuant to Chapter 2 (commencing with Section 22971.7) of Division 8.6 of the Business and Professions Code.
  - (2) The hookah tobacco retailer does not permit any person under 21 years of age to be present or enter the premises at any time.
  - (3) The hookah tobacco retailer shall operate in accordance with all relevant state and local laws relating to the sale of tobacco products.
  - (4) If consumption of tobacco products is allowed on the premises of the hookah tobacco retailer, the hookah tobacco retailer shall operate in accordance with all state and local laws relating to the consumption of tobacco products on the premises of a tobacco retailer, including, but not limited to, Section 6404.5 of the Labor Code.

Please also see attached a letter of support of SB793 with the hookah exemption that was endorsed by the American Heart Association, Tobacco Free Kids, Cancer Action Network, to name a few.

The proposed LA flavor ban ordinance exempts hookah lounges however it restricts to on-site consumption, with no retail. This would violate state law that requires smoking lounges to have retail to qualify as an exempt smoking lounge. It also grandfathers current lounges and bans any new lounges, coupled with a non-transferability component even to family members, this would mean that in one generation, all hookah lounges would be closed. Not to mention that all the equity built in these business would never be realized because they cannot sell or transfer their business. More and more people are practicing hookah at home because of COVID and lounge closures. Without the retail component, no one will be able to purchase hookah for home use. This proposed language presents a whole host of problems therefore we respectfully as that LA mirror SB793 which is simple and clear and achieves LA city's regulatory goals.

SB793 balances the interests of law makers by addressing youth access and usage of flavored tobacco products, while protecting the cultural tradition of hookah. The SB793 hookah exemption limits sales to 21 and over establishments, meaning you have to be 21 and over to enter a retail establishment or lounge in order to purchase hookah and requires these establishments to comply with local and state laws. This shows that law makers can reach their regulatory goals without creating unintended consequences like eliminating the rich cultural tradition of hookah.

Please do not eliminate the rich cultural tradition of hookah without understanding what the real issues are. There is a way to achieve regulatory goals while balancing the interests of minority communities, such as Armenians, Persians, Middle Easterners, Turks, and Indians, that practice hookah. We respectfully request the Los Angeles City Council consider adopting the language of SB793 for their proposed city flavor ban. Please feel free to contact me with any questions or to discuss further. Thank you.



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<https://www.youtube.com/watch?v=9qIUH3hmvUc>

The Culture of Hookah | An Exploration of History and Tradition

Respectfully,

/s/ Rima S. Khoury

National Hookah Community Association

## Communication from Public

**Name:** Rima S. Khoury  
**Date Submitted:** 06/11/2021 01:58 PM  
**Council File No:** 13-0068-S2  
**Comments for Public Posting:** Please see attached.



May 18, 2021

African American Tobacco Control Leadership Council  
390 Fourth Street  
San Francisco, CA 94107  
Email: [admin@aatclc.org](mailto:admin@aatclc.org)  
RE: Hookah Video Submitted to LA Council File 18-1104

Dear Sir or Madam,

My name is Arnold Abramyan, I am one of the founding members of the National Hookah Community Association (“NHCA”) which was established to protect and preserve the 1,000 year cultural tradition of hookah. On behalf of NHCA and the Arab, Armenian, Indian, Turkish, Egyptian, Persian and other minority communities that practice hookah as part of their culture and tradition, we are deeply offended by the video montage the African American Tobacco Control Leadership Council (“AATCLC”) published and submitted to the LA City Council regarding council file number 18-1104 on May 10, 2021. [REDACTED]

It is not clear how trivializing our cultural traditions by an organization that advocates for black lives and communities’ benefits anyone. Aside from the fact that our educational videos on the history of hookah were twisted to fit AATCLC’s political agenda, we found it incredibly offensive that AATCLC would diminish another’s culture while trying to promote fairness, equality and respect for African Americans.

It is important to note that currently and throughout history, many black Arabs practice hookah as part of their cultural tradition, including Algerians, Tunisians, Sudanese, Djiboutians, Somalians, and Moroccans not to mention Eritreans, Ethiopians. Please do not make the mistake of being dismissive of our cultural tradition without knowing the facts.

AATCLC’s actions unlawfully misappropriates and misuses our original and creative work and is a violation of copyright laws. We have not authorized your use of our works for any purposes, and therefore demand that you immediately cease and desist from using and/or sharing this work.

We demand an immediate apology for this gross misrepresentation of the cultural tradition of hookah and ask that AATCLC retract or redact the link provided to LA City Council file.

Respectfully,

Arnold Abramyan

NHCA President

**The National Hookah Community Association (NHCA) is a Nonprofit Corporation**  
Preserving Hookah Culture & the Social experience, promoting and protecting Hookah & Shisha businesses across the US  
[www.nationalhookah.com](http://www.nationalhookah.com) - [info@nationalhookah.com](mailto:info@nationalhookah.com) - PoBox 4126 Glendale, CA 91222 - (818) 863-6339