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CITIZENSHIP: U.S.A.

EDUCATION:

Undergraduate
Bucknell University, Lewisburg, PA
B.A. (History and Spanish) 1992

Graduate and Professional
Rutgers University School of Law, Camden, NJ
J.D. 1997

BAR ADMISSIONS:

NY, NJ, SDNY, EDNY, DNJ, Second Circuit U.S. Court of Appeals

PROFESSIONAL EXPERIENCE:

RUTGERS SCHOOL OF PUBLIC HEALTH
Associate Professor, Department of Health Behavior, Society & Policy
2018-present

RUTGERS CENTER FOR TOBACCO STUDIES
Core Member
2018-present

NYC DEPARTMENT OF HEALTH & MENTAL HYGIENE New York, NY
Senior Legal Counsel, Bureau of Chronic Disease Prevention and Tobacco Control
2011-2018

NYU, COLLEGE OF GLOBAL PUBLIC HEALTH, New York, NY
Adjunct Assistant Professor
2018 Public Health Law

CUNY, SCHOOL OF URBAN PUBLIC HEALTH, HUNTER COLLEGE New York, NY
Adjunct Assistant Professor
2014 Public Health Law

COLE, SCHOTZ, MEISEL, FORMAN & LEONARD New York, NY
Special Counsel
2008-2010 Civil litigation in state and federal court.

DEWEY & LEBOEUF New York, NY
Associate (2000-06); Managing Attorney (2006-07)
Civil litigation in state and federal court.

HON. JOHN J. HUGHES, U.S. MAGISTRATE JUDGE Trenton, NJ
1998-99 Law Clerk, U.S. District Court, District of New Jersey

HON. F. PATRICK MCMANIMON, SUPERIOR COURT JUDGE Trenton, NJ
1997-98 Law Clerk, Superior Court of New Jersey, Law Division

HONORS AND AWARDS:

Distinguished Service Award, NYC Department of Health and Mental Hygiene, Operation Caterpillar, subject matter expert in multi-division investigation, enforcement operation, and litigation regarding hookah serving establishments violating several NYC laws, 2015.

Acknowledgments, Public Law Research Institute, UC Hastings College of the Law, Bonorris S, Salerno M, Shanske D, Waldron M, Ball L, Filippi L, Hendrickson L, Lo A, "Challenges in Enforcing Local Flavored Tobacco Restrictions," (Oct. 2019).

Acknowledgments, Rogers, T., Brown, E.M., McCrae, T.M., Gammon, D.G., Eggers, M.E., Watson, K., Engstrom, M.C., Tworek, C., Holder-Hayes, E. and Nonnemaker, J., 2017. "Compliance with a Sales Policy on Flavored Non-cigarette Tobacco Products." Tobacco regulatory science, 3(2 Suppl 1), p.S84.

Acknowledgments, "Saving Gotham: A Billionaire Mayor, Activist Doctors, and the Fight for Eight Million Lives" by Tom Farley, 2016.

Acknowledgments, Understanding the U.S. Illicit Tobacco Market, National Academies of Sciences, Engineering and Medicine, 2015.

Acknowledgments, Kansagra, S.M., 2014. "Strategies to reduce youth tobacco use: opportunities for local government." American journal of preventive medicine, 47(2), pp.S93-S94.

SERVICE ON NATIONAL EXPERT, GRANT REVIEW PANELS, STUDY SECTIONS, COMMITTEES:

Advisory Group for implementation of U.S. Department of Housing and Urban Development rule requiring smoking-free policies in public housing authorities, New York City Housing Association, 2017 to 2018.

Co-Chair, Big Cities Community of Practice Subcommittee for Tobacco Control, National Association of County and City Health Officials, 2015 to 2018.

Expert participant, Eyes on the Prize: Acting Boldly to End Smoking. Public Health Law Center, Mitchell-Hamline College of Law. St. Paul, MN, September 2014.

Expert participant, Eyes on the Prize: Acting Boldly to End Smoking. Public Health Law Center, Mitchell-Hamline College of Law. St. Paul, MN, September 2015.

Expert participant, Eyes on the Prize: Acting Boldly to End Smoking. Public Health Law Center, Mitchell-Hamline College of Law. Austin, TX, March 2017.

TEACHING RESPONSIBILITIES:

2019-present Public Health Ethics & Law, Department of Health Behavior, Society & Policy, Rutgers-School of Public Health (Course Instructor)

RESEARCH INTERESTS:

- How the intersection of law, economics, and science can optimize tobacco control policy.
- Regulating tobacco products, including e-cigarettes, menthol/flavors, and hookah.
- Illicit markets and their impact on tobacco consumption and public health.
- Extending tobacco control lessons to marijuana regulation and obesity prevention.

GRANT SUPPORT:

Active

U54CA046070 from *NIH/FDA* Examining the Effects of Advertising, Packaging and Labeling on Perceptions, Use and Exposure of Combustible Tobacco Products (TCORS) Project Period: 09/14/18 – 8/31/23 (\$14,434,673 (D)/\$ 18,109,859 (T)). (Role: Co-Investigator, Delnevo/Strasser PI)

R01CA231139 from *National Cancer Institute*. Adoption, diffusion, and implementation of Tobacco 21 policies to address health disparities. Project Period: 07/01/18 – 6/30/23 (\$1,985,647 (D)/\$ 3,157,179) (Role: Co-Investigator, Delnevo/Hudson PI)

R37CA222002 from *National Cancer Institute*. Perceptions and impact of modified risk tobacco product communication messages. Project Period: 04/01/18-03/31/22 (\$1,844,181 (D)/\$2,932,248(T)). (Role: Co-Investigator, Olivia Wackowski PI)

R01CA244370-01 from National Institute of Health. A Multi-Level Investigation of US Indoor Tanning Policy Enactment, Implementation, Compliance, Impact and Economics. Project Period: 2020-2025. (Role: Co-Investigator, Heckman/Buller PI)

American Cancer Society, Tobacco Free Generation Campus Initiative. RU Tobacco Free grant with goal of establishing a 100% tobacco-free policy for all of Rutgers University's campuses. Project Period: 11/01/2019 to 3/31/2022. (\$25,000) (Role: Principal Investigator).

Truth Initiative, RU Tobacco Free grant with goal of establishing a 100% tobacco-free policy for all of Rutgers University's campuses. Project period: 09/01/2020 to 3/31/2022 (application pending) (\$50,000) (Role: Principal Investigator).

LEGISLATIVE AND SCHOLARLY ACHIEVEMENTS:

Legislative Achievements:

1. Local law 97 (2013). Sensible Tobacco Enforcement – law that banned various discounts for tobacco products, set price floor for cigarettes and little cigars, set minimum pack size for cigars, and increases penalties for cigarette tax evasion.
2. Local law 94 (2013). Tobacco 21 – after a small Massachusetts town, NYC was the first jurisdiction in U.S. to ban sales of tobacco and e-cigarettes to persons younger than 21.
3. Local law 152 (2013). Extended coverage of NYC’s Smoke-Free Air Act (SFAA) to use of ecigarettes.
4. Local law 42 (2016). Extended coverage of SFAA to smokeless tobacco in sports arenas. Testified before City Council’s Health Committee on behalf of Health department on February 25, 2016.
5. Local law 187 (2017). Requires permit for, and grandfathers, existing hookah serving establishments and imposes additional regulations. Testified before City Council’s Health Committee on behalf of Health department on February 25, 2016.
6. Local law 190 (2017). Warning sign requirement in hookah serving establishments. Testified before City Council’s Health Committee on behalf of Health department on February 25, 2016.
7. Local law 191 (2017). Raises legal age to 21 for sales of non-tobacco shisha. Testified before City Council’s Health Committee on behalf of Health department on February 25, 2016.
8. Local law 145 (2017). Created taxes and minimum prices for tobacco products other than cigarettes. Represented Health department at Mayoral press conference on August 28, 2017.
9. Local law 146 (2017). Created system to cut tobacco retail density by more than 50%. Represented Health department at Mayoral press conference on August 28, 2017.
10. Local law 142 (2017). Banned pharmacies from selling tobacco or e-cigarettes. Represented Health department at Mayoral press conference on August 28, 2017.
11. Local law 143 (2017). Tobacco license fee increase. Represented Health department at Mayoral press conference on August 28, 2017.
12. Local law 144 (2017). E-cigarette license and reduction scheme. Represented Health department at Mayoral press conference on August 28, 2017.
13. Local law 147 (2017). Requires all residences citywide to create and disclose a policy on smoking. Represented Health department at in Mayoral press conference on August 28, 2017.

Peer Reviewed Publications:

1. Schroth, KR. Ten Years of the Tobacco Control Act in New York City, *Journal of Legal Medicine*. 2021 Jan 18;40(3-4):321-33.
2. Hudson SV, Kurti M, Howard J, Sanabria B, Schroth KR, Hrywna M, Delnevo CD. Adoption of Tobacco 21: A Cross-Case Analysis of Ten US States. *International Journal of Environmental Research and Public Health*. 2021 Jan;18(11):6096.
3. Wackowski O, Jeong M, **Schroth KR**, Rashid M, Delnevo C, *Experts' perceptions of and suggestions for cigar warning label messages and pictorials*, *Nicotine & Tobacco Research*. 2021 Jan 28.
4. Ganz O, Hrywna M, **Schroth KR**, Delnevo C, *Innovative Promotional Strategies and Diversification of Flavored Mass Merchandise Cigar Products: A Case Study of Swedish Match*. *Tobacco Control*. 2021 Jan 31.
5. Lindblom EN, Mays D, **Schroth KR**, Delnevo C. *Has FDA abandoned its efforts to make fake-cigar cigarettes comply with federal tobacco control laws that apply to cigarettes but not cigars?* *Tobacco Control*. 2020 Feb 24.
6. Farley SM, Sisti J, Jasek J, **Schroth KR**. *Flavored Tobacco Sales Prohibition (2009) and Noncigarette Tobacco Products in Retail Stores (2017), New York City*. *American Journal of Public Health*. 2020 May;110(5):725-30.
7. Campbell ML, Sansone A, Gonzalez LN, **Schroth KR**, Shendell DG. *E-cigarette environmental and fire/life safety risks in schools reported by secondary school teachers*. *BMC Public Health*. 2020 Dec;20(1):1-8.
8. **Schroth KR**, Villanti AC, Kurti M, Delnevo CD. *Why an FDA ban on menthol is likely to survive a tobacco industry lawsuit*. *Public Health Reports*. 2019 May;134(3):300-6.
9. **Schroth, KR**, 2019. *Increasing Price and Reducing Access to Tobacco in NYC*. *The Journal of Law, Medicine & Ethics*, 47(2_suppl), pp.87-90.
10. Kurti MK, **Schroth KR**, Ackerman C, Kennedy M, Jeong M, Delnevo CD. *Availability of menthol cigarettes in Oakland, California after a partial flavor ban*. *Preventive Medicine Reports*. 2020 Dec 1;20:101200.
11. Kurti MK, **Schroth KR**, Delnevo C. *A discarded cigar package survey in New York City: indicators of non-compliance with local flavoured tobacco restrictions*. *Tobacco Control*. 2020 Sep 1;29(5):585-7.

12. Brown EM, Rogers T, Eggers ME, Cavazos ML, O'Brien MS, McCrae T, Farley SM, **Schroth KR**. *Implementation of the new York City policy restricting sales of flavored Non-Cigarette tobacco products*. Health Education & Behavior. 2019 Oct;46(5):782-9.
13. Farley SM, Jasek JP, Sacks R, **Schroth K**, Davis K. *Changes to the littered cigarette pack environment in New York City between 2011 and 2015*. Tobacco Control. 2020 May 1;29(3):326-31.
14. Davis, KC, Wylie, S, Farley, SM, Jasek, J and **Schroth, KR**, 2019. *Cigarette Trafficking and Tax Parity: Results of a Natural Tax Experiment*. Tobacco Regulatory Science, 5(2), pp.143-155.
15. Kurti MK, von Lampe K, He Y, Khanzada H, Kostara K, Da Q, **Schroth KR**. *Categorising characteristics of counterfeit Marlboro cigarettes: a systematic review of tobacco industry documents*. Tobacco Control. 2020 Mar 1;29(2):228-30.
16. Farley SM, **Schroth KR**, Curtis CJ, Angell S. *Evidence of Support for Smoke-Free Public Housing Among New York City Residents*. Public Health Rep. 2016 Jan-Feb;131(1):2-3. PubMed PMID: 26843660; PubMed Central PMCID: PMC4716462.
17. Moreland-Russell S, Combs T, **Schroth K**, Luke D. *Success in the city: the road to implementation of Tobacco 21 and Sensible Tobacco Enforcement in New York City*. Tobacco control. 2016 Oct 1;25(Suppl 1):i6-9.
18. Farley SM, **Schroth KR**, Grimshaw V, Luo W, DeGagne JL, Tierney PA, Kim K, Pankow JF. *Flavour chemicals in a sample of non-cigarette tobacco products without explicit flavour names sold in New York City in 2015*. Tobacco Control. 2018 Mar 1;27(2):170-6.

Under Review

1. **Schroth KR**, Kurti MK, Delnevo C. *Flavored Cigar Availability in Oakland After a Partial Ban*, Tobacco Regulatory Science, (revised and resubmitted).
2. Needham Waddel E, Farley SM, Ramsey K, Horton-Dunbar G, **Schroth K**, *Changes in New York City teen awareness and perceptions of the sale and marketing of tobacco products after implementation of Tobacco 21*. Journal of Adolescent Health (revised and resubmitted).

Invited Presentations:

1. *Tobacco and E-cigarette Flavor Wars*, 2020 Public Health Law Conference: Building Support for Healthy Communities for All, Baltimore MD, September 2021.
2. *Challenges for Laws Restricting Tobacco Flavors*, Food and Drug Law Institute, Enforcement, Litigation, and Compliance Conference, December 16, 2020.
3. *Pricing Strategies to Reduce Tobacco Use and Address Disparities*, Centers for Disease Control and Prevention's Office on Smoking and Health (OSH), National Tobacco Control Program

Awardee Meeting, *Getting to Equity in Commercial Tobacco Control: Ensuring a Healthy, Commercial Tobacco-Free Life for All*. August 17, 2020.

4. *E-cigarettes and a Shifting Landscape*, Grand Rounds, Rutgers Occupational and Environmental Medicine Residency Program, July 24, 2020.
5. *Illicit Trade of Tobacco Products and E-cigarettes*, Tobacco Manufacturer Association's (TMA) 105th Annual Meeting and Conference, June 23, 2020.
6. *From theory to implementation: making menthol bans a reality*, Symposium, SRNT Annual Meeting, March 2020.
7. Keynote speaker, *E-cigarettes and Federal Inaction*, New Jersey Environmental Health Association (NJEHA), Annual Meeting, Atlantic City, NJ, March 3, 2020.
8. *Illegal Counterfeit and Compatible Electronic Nicotine Delivery Systems (ENDS) Products: Public Health and Safety Challenges*, Enforcement, Litigation, and Compliance Conference, Food and Drug Law Institute, Washington DC, December 11, 2019.
9. A Decade of the Tobacco Control Act: Progress, Setbacks and the Future of Tobacco Control, Symposium speaker and panelist: *Part I, The Tobacco Control Act—Preemption & NYC's Small Town Perspective on the Tobacco Control Act*. Minneapolis, MN, August 26, 2019.
10. *Developing a Framework for the Regulation of Flavored Cigars*. National Conference on Tobacco or Health, Minneapolis, MN, August 2019.
11. *The First Amendment, Commercial Speech, and Public Health: A Complex Relationship*. National Conference on Tobacco or Health, Minneapolis, MN, August 2019.
12. *Developments in the Ongoing Flavored Products Debate*. TMA's 104th Annual Meeting and Conference, Falls Church, VA, April 2019.
13. *Why it Matters When Flavored Cigars Flout FDA Rules; Podium Presentation: Examining Tobacco Flavor Packaging and Policy*, SRNT Annual Meeting, February 22, 2019.
14. *New York City's Novel Plans to Target Price, Access and Awareness*, 2018 Public Health Law Conference: Health Justice: Empowering Public Health and Advancing Health Equity, Phoenix, AZ, October 2018.
15. *E-cigarettes and Evolving Challenges in Tobacco Control*, Public Health Workforce Development Webinar, September 26, 2018.
16. *Innovative Tobacco Policy*, 2018 Maryland Statewide Tobacco Control Conference, Columbia, MD, May 2018.

17. *Local Control: A Proven Strategy for Tobacco Prevention – NYC and Challenging Preemption*, ChangeLab Solutions, October 2017.
18. *Film screening panelist for: The Insider, Observing the 15th Anniversary of the Passage of the New York City Smoke-Free Air Act*, NYU College of Global Public Health, August 2017.
19. *Making it Harder to Buy Tobacco Products in New York City Through Sensible Tobacco Enforcement and Tobacco 21 Laws*, National Conference on Tobacco or Health, Austin, TX, March 2017.
20. *Tobacco 21: Raising the Sales Age?* National Association of Attorneys General, Tobacco Issues Seminar, Portland, ME, September 2016.
21. *Tobacco 21 Movements in Big Cities*, National Association of County and City Health Officials, Annual meeting, Phoenix, AZ, July 2016.
22. *New York City & the Smoke-Free Air Act, International Symposium on Tobacco Control & Law*, World Health Organization, Beijing, China, May 2016
23. *New York City Point of Sale Tobacco Control Policies*, Using Science and Law to Advance Tobacco Retail Policy, State and Community Tobacco Control Research, St. Louis, MO, May 2016
24. *Point of Sale Tobacco Regulations; Price Related Tobacco Regulations*, National Summit on Smokeless and Spit Tobacco, Albuquerque, NM, April 2016
25. *New Roots, Old Problem: Local Policy Approaches that Address Emerging Tobacco Trends*, Community Anti-Drug Coalitions of America. Webinar on July 31, 2014.
26. *Tobacco Minimum Price Laws*, ChangeLab Solutions, Webinar on October 30, 2014.
27. *Taking on Tobacco Regulation: An Overview of New York City's Tobacco Control Laws*, New York State Bar Association, Public Health Committee in collaboration with the Network for Public Health Law and the Public Health Association of New York City. Webinar on June 27, 2014.
28. Symposium panelist: *Fifty Years in the Fight Against Tobacco*, Columbia University, Mailman School of Public Health, April 2014.
29. *High Taxes, Trafficking and Tobacco Control Policy in New York City, Committee on the Illicit Tobacco Market: Collection and Analysis of the International Experience*, National Research Council and Institute of Medicine, Washington, DC. January 23, 2014.
30. *High Taxes on Cigarettes in New York City: Impact and Consequences*, Center for Disease Control and Prevention, Combatting the Illicit Tobacco Trade Meeting, Atlanta, GA. July 2013.

31. *High Taxes on Cigarettes – Impact and Navigating Unintended Consequences*. National Conference on Tobacco or Health. Kansas City, MO. August 2012.
32. *Lessons learned from New York City’s Point of Sale Sign Legal Challenge*, National Conference on Tobacco or Health, Kansas City, MO, August 2012.
33. *New York City’s Ban on Smoking in Parks and Beaches*, Cigarette Butt Waste Conference, Sacramento, CA, March 2012.

Poster Presentations

1. *A Warning For All Cigar Warnings*, SRNT Annual Meeting, accepted for February 2021.
2. *Warning: Requiring Tobacco Warnings Raises Legal Risks*, NIH Tobacco Centers of Regulatory Science Meeting, October 19, 2020.
3. NIH Tobacco Regulatory Science Meeting, *Why it matters when flavored cigars flout FDA rules*, October 2019, Bethesda, MD.
4. CINJ Annual Retreat on Cancer Research in New Jersey, *Why it matters when flavored cigars flout FDA rules*, May 23, 2019.

Press Coverage

1. Kevin Schroth, Keep smoking ban in place inside N.J. casinos, NJ.com, May 23, 2021.
2. Kevin Schroth, Let’s set our policy sights on smoking, not just vaping, The Star-Ledger, Opinion, October 20, 2019.
3. Shelia Kaplan, Teens Find a Big Loophole in the New Flavored Vaping Ban, NY Times, February 12, 2020.
4. Hannah Knowles, As Trump tackles vapes, African Americans feel stung by inaction on menthol cigarettes, The Washington Post, November 1, 2019 (background only).
5. Sarah Gantz, E-cigarette maker Juul sued by Pa. family over 13-year-old’s nicotine addiction, Philadelphia Inquirer, October 23, 2019.
6. Carly Baldwin, Piscataway Outlaws E-Cigarette/Vape Sales In Nearly Entire Town, Patch.com, January 8, 2020