



April 21, 2015

To: Department of Alcohol Beverage Control  
3927 Lennae Drive, Suite 100  
Sacramento, CA 95834

From: Tobacco Free Communities Coalition

RE: Protest of Application to Sell Alcoholic Beverages

According to the public notice posted at Mazzika Hookah Lounge, 8690 Areo Drive #101 San Diego, CA 92123, Radhwan Hikmat Shamoan has applied to sell "40 on sale beer". This establishment holds an active California Tobacco Retailer License (91356920) and currently allows tobacco smoking inside the establishment which has no posted age restrictions. If permitted to sell alcohol on the premises this establishment would be in direct violation of California Labor Code 6404.5 (i)(d)(iv).

The permitting of alcohol sales in this establishment is a disregard for the spirit of the law intended to protect employees from the health effects of secondhand smoke. The California Air Resources Board has declared that secondhand smoke is a toxic air contaminant for which there is no safe level of exposure.

Please reconsider permitting the sale of alcohol to this establishment which would in essence become a bar which allows smoking. That would as well allow an unfair business practice against other alcohol serving establishments which abide by California Labor Code 6404.5 (i)(d)(iv).

Sincerely,

Erica Phung  
Chair, Tobacco Free Communities Coalition  
2750 4<sup>th</sup> Avenue  
San Diego, CA 92103

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov

**NOTICE**

July 1, 2015

ERICA PHUNG  
TOBACCO FREE COMMUNITIES COALITION  
2750 4TH AVENUE  
SAN DIEGO, CALIFORNIA 92103

RADHWAN HIKMAT SHAMOON  
8690 AERO DR STE 101  
SAN DIEGO, CA 92123  
File: 40-555829

We have received your letter outlining your concerns about the issuance of a license. Your letter cannot be considered to be a valid protest because the facts alleged, even if proven at the hearing, do not state grounds which would allow the Department to deny issuance of the license.

The Department recognizes that your concerns are important and a copy of your letter and this response is being forwarded to the District Office investigator for review.

Please contact the Southern Division District Office at (619) 525-4064 if you have any questions.

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Copy:  Southern Division District office  
 Applicant(s) with Enclosure  
 Representative(s) with Enclosure