

MAJOR LEAGUE PLAYER TOBACCO POLICY

A. PROHIBITIONS

- 1. Ballparks Subject to State or Local Ordinance.** The use of all tobacco products—including smokeless tobacco, cigarettes, and e-cigarettes (collectively, “Tobacco Products”)—by Players is prohibited in any ballpark where such use is prohibited by state or local law or ordinance (“Prohibited Ballparks”). This prohibition shall apply on-field during games. For purposes of this policy, “on-field” shall include all areas of the ballpark that are visible to fans and/or broadcast cameras (e.g., the playing field, dugout, and bullpen). The Clubs who play in Prohibited Ballparks, as of the date of this agreement, are: Arizona Diamondbacks, Boston Red Sox, Chicago Cubs, Chicago White Sox, Los Angeles Angels of Anaheim, Los Angeles Dodgers, Milwaukee Brewers, New York Mets, New York Yankees, Oakland Athletics, San Diego Padres, San Francisco Giants, Seattle Mariners, St. Louis Cardinals, Tampa Bay Rays, and Washington Nationals. All Prohibited Ballparks will be required to comply with all signage and notification requirements of the applicable state or local ordinance.
- 2. Ballparks That Become Subject to State or Local Ordinance.** If, later, a state or municipality passes a law or ordinance banning the use of Tobacco Products in a ballpark that is not listed in Paragraph 1 above, the prohibitions in Paragraph 1 above shall apply in that new ballpark as of the date that new law or ordinance takes effect and that ballpark shall thereafter be considered a Prohibited Ballpark. In such an event, the Office of the Commissioner and the Players Association shall send a joint memorandum to all Players notifying them of the new restriction.
- 3. Players Without Major League Service Prior to 2017.** Any Player who had no credited Major League service at the end of the 2016 season (i.e., a Player who made his Major

League debut during the 2017 season or later) is prohibited from using Tobacco Products on-field during games in every ballpark. In addition, such Players shall be prohibited from using Tobacco Products (i) during televised interviews, and (ii) during Paragraph 3(b) appearances on behalf of the Club.

- 4. Players With Major League Service Prior to 2017.** In addition to the restrictions on the use of Tobacco Products at Prohibited Ballparks set forth in Paragraphs 1 and 2 above, any Player who has been credited with at least one day of Major League service as of the end of the 2016 season is prohibited from using smokeless tobacco (i) during televised interviews, and (ii) during Paragraph 3(b) appearances on behalf of the Club.
- 5. Requirement to Conceal.** At any time when fans are permitted into any ballpark, all Players must conceal Tobacco Products (including tobacco tins and packages) and may not carry Tobacco Products (including tobacco tins or packages) in their uniform or on their body.
- 6. Penalties.** The penalties for violating the prohibitions in Paragraphs 1 through 5 above shall be:

 - (a) First Violation—Written warning and referral to the parties’ Smokeless Tobacco Cessation Consultant (the “Cessation Consultant”) to develop a Tobacco Cessation program (see Section C below).
 - (b) Second and Subsequent Violations—A fine shall be issued for any second or subsequent violation in the amount specified in the applicable state or local law or ordinance. In ballparks where no state or local law or ordinance applies, or where the ordinance does not provide a fine amount, the fine shall be \$250 per violation. Promptly following issuance of a third notice of violation to a Player, the Players Association shall contact the Player and the Player’s representative, and the Commissioner’s Office shall contact the Player’s Club, to discuss the Player’s alleged violations of Attachment 28, including potential steps that can be taken to facilitate compliance going forward.

Violations will not carry over from year to year over the course of a Player's career. All fines will be subject to challenge under the Grievance Procedure of the Basic Agreement. Fine amounts collected pursuant to this Policy shall be split evenly between (i) offsetting the cost of nicotine replacement therapies ("NRT") and/or other cessation services to Players; and (ii) the Major League Baseball Players Trust.

B. EDUCATION

1. The Parties, in conjunction with the Cessation Consultant, will create joint educational programs and materials for Players regarding the dangers of smokeless tobacco. Written materials will be distributed to all Players during each Spring Training of the Basic Agreement. The Parties also will develop an on-line educational program for Players regarding the dangers of smokeless tobacco and available cessation options.
2. The Parties, in conjunction with the Cessation Consultant, will create joint educational programs and materials for the public (i.e., public service announcements) regarding the dangers of smokeless tobacco. These educational pieces will feature Major League Players and will focus on a youth audience. These educational pieces will be played online on the Parties' respective websites; during games in Major League ballparks; during broadcasts of the All-Star, post-season and World Series games; and during any other game broadcast on FOX, ESPN, TBS or the MLB Network pursuant to national broadcasting agreements entered into by the Office of the Commissioner.

C. CESSATION

1. All Players will be provided with a list developed by the Cessation Consultant of a multi-disciplinary tobacco specialist network of professionals and organizations that provide confidential treatment options for tobacco cessation.
2. Players who express interest in or who are referred for a Tobacco Cessation program pursuant to Paragraph 6(a) above will be provided with personal and confidential treatment

options for tobacco cessation overseen by the Cessation Consultant.

3. All Tobacco Cessation programs will include evidence-based tobacco treatment based on accepted clinical practice guidelines including, but not limited to, counseling, individual or group therapy, recommendations for NRT, or other forms of treatment recommended by the Cessation Consultant. Costs of Tobacco Cessation programs will be covered by the Major League Baseball Players Benefit Plan.
4. NRT (e.g., patches, gums, lozenges) will be provided by the Parties in every Major League Clubhouse.

D. ORAL EXAMINATIONS

1. All annual physical examinations of Players in Spring Training shall include oral examinations.
2. All Players identified as tobacco users during their annual physical examination will be provided with contact information for the Cessation Consultant.