

## **Tobacco 21 Laws Provide Useful Tool to Reduce Youth Tobacco Use**

### **But Tobacco Industry Sudden Support Should be Viewed with Caution**

#### **Statement of Robin Koval, CEO and President, Truth Initiative**

For years, Truth Initiative®, tobacco control advocates and the public have been [strong proponents](#) of raising the age for tobacco sales from 18 to 21. These policies have the potential to save lives, considering almost all smokers start smoking before age 21. Momentum among states to take action has been growing steadily, with [12 states across the country and more than 450 localities](#) adopting policies, including six states in just the first four months of 2019. Early research shows Tobacco 21 has the potential to reduce youth and young adult tobacco initiation, but is only one part of a comprehensive strategy to address the tobacco and the youth vaping epidemic.

Now that public support has clearly reached a tipping point in favor of tobacco 21 laws, it's clear the tobacco industry's sudden support is motivated by self-interest. Recently, we have observed that when the tobacco industry has become involved in the tobacco 21 conversation, policies have been weakened and used to distract policymakers from other measures that are proven to reduce tobacco use. While tobacco 21 policies are a powerful tool, they need to be one part of what the Centers for Disease Control and Prevention calls the "full vaccine" solution: tax increases, strong clean indoor air laws and fully-funded state and local tobacco control efforts, such as flavor and menthol bans. For example, Arkansas recently passed a tobacco 21 policy that included a provision prohibiting local government from regulating sales of tobacco products. Some recent tobacco 21 laws, including those in Virginia and Maryland, exempt active duty military. The Utah law goes further, exempting military spouses and families. In Utah and Virginia, tobacco 21 laws place the burden of enforcement on youth purchasers instead of where it belongs — on retailers who are profiting from the sale of products that youth should not use.

As the movement toward Tobacco 21 laws continues, we strongly urge policymakers to avoid weak provisions with tobacco industry influence and to enact strong laws designed to protect all young people. Even as any federal legislation is pending, states should continue to pass strong Tobacco 21 policies and not wait for a federal law.

Strong Tobacco 21 policies must:

- Eliminate existing or not add possession, use or purchase laws — putting the onus on the retailer and not toward purchasers/users under age 21
- Apply to all tobacco products and not exempt any specific tobacco product, especially flavored products
- Apply to all retail environments and not exempt certain types of stores, restaurants or clubs
- For state-level laws, not contain any language to preempt localities from enacting any type of tobacco control law
- Contain strong enforcement mechanisms (e.g., strong penalties for noncompliance) and have clear language about which entity or entities enforce the law (e.g., law enforcement, revenue, public health or multiple)
- Provide for the law to be implemented all at once on a specific date
- Not contain exemptions (e.g., military personnel and their families)