

The Tobacco Modernization and Compliance Act of 2010

Closing the loopholes is common sense

Today's tobacco industry is evolving for the 21st century, innovating products and finding new ways to hook nonsmokers while keeping existing customers addicted. The products may be changing but their goal remains the same – to profit from a deadly addiction.

Minnesota's laws governing tobacco have not kept up with the rapidly changing tobacco products market. As a result, many tobacco products are either skirting existing laws or are not covered at all. The Tobacco Modernization and Compliance Act of 2010 is a common-sense solution that will modernize Minnesota's tobacco laws, reduce tax evasion and reduce youth access to tobacco products.



Here in Minnesota:

- **More than 5,500** people die every year of tobacco-related diseases.
- Tobacco use results in more than **\$2 billion** in health care costs per year.
- **17 percent or 634,000** adults still smoke.
- **28.4 percent** of young adults (18-24) are tobacco users and smokeless tobacco use rates among youth are up nationwide.
- **85,000** middle and high school students smoke.
- The tobacco industry spends more than **\$190 million** every year marketing its deadly products.

This Act will:

- Expand the definition of tobacco products to include any product that contains tobacco and is intended for human consumption. This change ensures that the new dissolvable tobacco products that are candy flavored and resemble mints and breath strips are taxed and regulated as tobacco products.
- Require all tobacco products to be sold behind the counter and ensure youth do not have easy access to these products.
- Prevent the sale of new tobacco products and e-cigarettes to youth.

Tobacco Products for the 21st Century

“Little Cigars”

- Look, feel and smoke like cigarettes with one exception – they have tobacco in the rolling paper which allows them to be called cigars and avoid cigarette taxes and other regulations.
- As “cigars” they are cheaper (approximately \$2.00 per pack) than a pack of cigarettes (approximately \$5.50 per pack).
- They appeal to youth because they are sold right on the counter next to candy and come in a variety of “youth-friendly” candy flavors like grape, strawberry and peach.



E-cigarettes

- E-cigarettes are electronic nicotine delivery devices that simulate smoking.
- These products rely on a battery operated nicotine vaporizer that delivers puffs of nicotine vapor to users.
- Current law does not prohibit the sale of e-cigarettes to youth.



Sticks, Orbs and Strips

- These products – made of finely milled tobacco – dissolve when placed in the mouth, releasing significant amounts of nicotine. Designed in direct response to increasing smoke-free restrictions, dissolvable tobacco products are meant to sustain addiction by being an effective substitute when a smoker cannot light up. These products are not currently defined in Minnesota statutes, therefore they are not taxed or regulated as a tobacco product.
- Of significant concern is that there is no restriction on youth purchasing these products.*



Camel Orbs – Looks like a small breath mint or “Tic Tac”

Camel Sticks – Looks like a toothpick

Camel Strips – Looks like a breath-freshening strip

* These products are being test-marketed in several cities but are not currently available in Minnesota.

Snus

- Snus is a smokeless, spitless tobacco product. Small light-weight pouches filled with tobacco are placed between the gum and lip where nicotine can be quickly absorbed.
- Marketed as “Pleasure for Whenever”– suggesting that the product can be discreetly used where other tobacco products can’t.

