

# FACTS

## Tobacco: No Minor Issue

### Raising the Minimum Sale to Age 21

#### OVERVIEW

Tobacco use continues to be a significant public health concern and a leading cause of preventable death in the US. Though we have made some great strides, nearly 20% of high school students reported using tobacco products in 2016, including e-cigarettes, and the US Surgeon General estimated that nearly 6 million children will die prematurely in adulthood if current trends continue.<sup>1,2</sup> Further, in 2015, nearly 2 million people smoked cigarettes for the first time and nearly 90% of cigarette smokers first try smoking by age 18.<sup>1,3</sup>

Because of the addictive nature of nicotine, experimentation or initiation of tobacco use among youth and young adults is particularly troubling. This is a critical period for growth and development, one during which the brain may be especially susceptible and sensitive to the effects of nicotine.<sup>4</sup> Increasing the minimum legal sale age (MLSA) for tobacco products to 21 would reduce our youth's access to, and use of, tobacco products.

#### UNDER 21: NO TOBACCO

Setting the MLSA at 21 would prohibit retailers from selling tobacco products to anyone under that age. Legislation has been introduced in Congress, which would raise nationwide the minimum legal age of sale for tobacco products to 21. Additionally, as of August, 2019, 18 states, Washington, DC, Guam, and 475 cities and counties in 29 states have passed Tobacco 21 Laws, covering over 100 million people in the United States.<sup>5</sup> Raising the MLSA to 21 would target the age range at which many habitual smokers consume their first cigarette and the age at which older kids are often the social source for the youngest smokers.<sup>2,6</sup> Further, it would combat the tobacco industry's desire to attract a new, loyal generation of users and to re-engage those who have already quit.<sup>7</sup>

#### TOBACCO KILLING OUR FUTURE

Tobacco has deadly consequences for our youth:

- Early signs of heart disease and stroke are found in young people who smoke.<sup>2</sup>
- If current smoking rates continue, 5.6 million of today's Americans younger than 18 years of age are expected to die prematurely from a smoking-related illness. This represents about one in every 13 Americans aged 17 years or younger who are alive today.<sup>2</sup>

- Total economic costs of smoking are more than \$300 billion per year including nearly \$170 billion in direct medical care for adults and \$156 billion in lost productivity due to premature death and exposure to second hand smoke.<sup>2,8</sup>

#### WHY 21? THE EVIDENCE:

Evidence shows that nicotine dependence and smoking intensity are strongly correlated with younger ages of smoking initiation.<sup>9</sup> In other words, the younger people are when they smoke their first cigarette, the more likely they will be a smoker for life. Furthermore, some research suggests that adolescent smokers may experience more difficulty in quitting compared with adult smokers.<sup>10</sup>

In 2015, the National Academies of Sciences, Engineering and Engineering released a report<sup>11</sup> that modeled the myriad of public health benefits for raising the MLSA. Notably, the report concluded that raising the MLSA to 21 would decrease tobacco use by 12% and lead to:

- Nearly 225,000 fewer premature deaths.
- Nearly 50,000 fewer deaths from lung cancer.
- Almost 300,000 fewer pre-term births.
- 4.2 million fewer years of life lost for those born between 2000 and 2019.
- Less of a likelihood that adolescents will have peer group members who are over the MLSA.

Other research models have predicted that Tobacco 21 laws would significantly increase overall life expectancy and simultaneously reduce health-care costs.<sup>12</sup>

Tobacco sales to those younger than 21 years account for just 2% of total tobacco sales, yet, produce 90% of new smokers.<sup>13</sup>

Tobacco 21 is one of the most popular retail-based policy approaches<sup>14</sup> – one study showed 60% of smokers and 69% of non-smokers support<sup>15</sup>. Another survey showed that among all adults, 50.4% strongly and 24.6% somewhat favored raising the age to 21 years; 77.5% of never smokers, 74.6% of former smokers, and 69.9% of current smokers strongly or somewhat favored it.<sup>16</sup>

A study in Massachusetts<sup>17</sup> showed that local Tobacco 21 initiatives can have a significant impact:

- 30-day smoking rates decreased in Needham where Tobacco 21 was passed, from 13% to 7%, and this was

significantly greater than comparison communities (15% to 12%). This decline was consistent for both genders, Caucasian and non-Caucasian youth, and all grades surveyed. Cigarette purchases among current smokers also declined significantly more in Needham than in the comparison communities.

E-cigarettes should be included in Tobacco 21 laws; however, public health organizations should monitor implementation to assure that cigarette smoking does not increase as a result.<sup>18</sup>

NYC has done important evaluation after implementation of Tobacco 21 and found that retailer compliance is a key part of assuring that the policy is effective in reducing youth access to tobacco products.<sup>19, 20</sup>

## THE ASSOCIATION ADVOCATES

The American Heart Association advocates for policies at the federal, state and local levels that prohibit the sale of all tobacco products, including e-cigarettes, to anyone under the age of 21. Those laws should include effective enforcement mechanisms, including compliance checks, to ensure retailers comply with the law and not place excessive punishment or burden on youth.

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