**Tobacco 21**

**The American Heart Association’s Position**

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. These laws should include effective enforcement mechanisms, such as compliance checks, to ensure retailers comply with the law and not place excessive punishment or burden on youth.

- Smoking is still a leading cause of preventable death in the US and across the globe.\(^1\)
- Increasing the minimum legal sale age (MLSA) for all tobacco products reduces youth access to and use of tobacco products, lowers health care costs, and improves overall life expectancy.\(^4\)
- Although passing Tobacco 21 laws has some effect on youth purchasing, there is significantly more reduction in adolescent smoking when sufficient enforcement that disrupts sales to minors is implemented.\(^6\) Retailers are a major source of tobacco products for minors, especially in low-income, segregated neighborhoods with more black and Latino residents.\(^6\)
- Primary enforcement should focus on retailer compliance with not selling to minors rather than on illegal purchases or youth possession. Research has shown that there is differential enforcement of tobacco purchasing laws – Black and Hispanic youth have a higher probability of being cited than their white peers.\(^7\) One of the reasons that the tobacco industry focuses on criminalizing youthful purchasers of tobacco is to make it difficult or impossible to research and monitor merchant compliance programs.\(^5\) Criminalizing youthful purchases may also help shield alcohol and tobacco producers from civil liability claims.\(^8\)
- Best practices for retailer enforcement include having an articulated plan for enforcement, giving enforcement responsibility to a single agency, conducting ongoing compliance check inspections, allocating funding for enforcement inspections, prosecuting violators, setting high penalties for violations, and practicing effective merchant education.\(^5\)

**Impact**

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.\(^9\)

For more information and resources from the American Heart Association's policy research department on tobacco please visit: [https://www.heart.org/en/about-us/policy-research](https://www.heart.org/en/about-us/policy-research)

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