



TOBACCO21: SAMPLE RESOLUTION



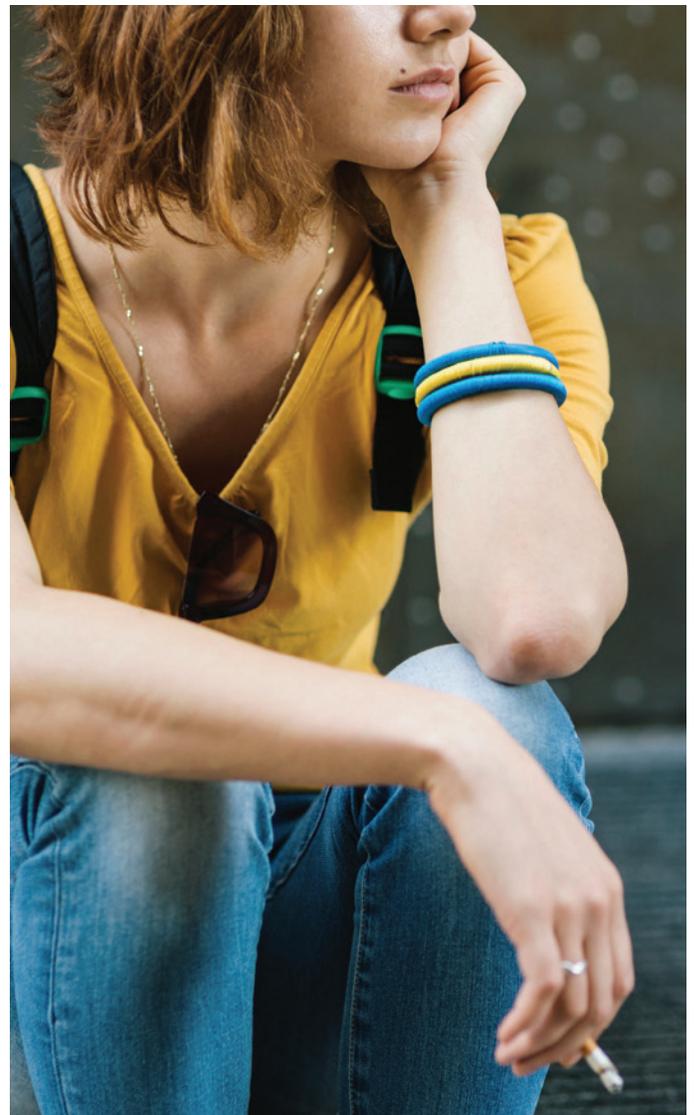
WHEREAS, tobacco use is the foremost preventable cause of premature death in the United States,¹ responsible for approximately 480,000 deaths a year² and 20.8 million premature deaths in the U.S. over the past 50 years since the first Surgeon General's report on smoking in 1964,³

WHEREAS, the annual economic impact of smoking in the U.S. is more than \$300 billion in health care and lost worker productivity costs;⁴

WHEREAS, national data show that about 95 percent of adult smokers begin smoking before they turn 21, and that the ages of 18 to 21 are a critical period when many smokers move from experimental smoking to regular, daily use;⁵

WHEREAS, the developing brains of young people are particularly susceptible to the addictive properties of nicotine,⁶ and as a result, approximately 3 out of 4 teen smokers end up smoking into adulthood;⁷

WHEREAS, electronic smoking device use among minors has recently tripled;⁸





WHEREAS, a 2015 Institute of Medicine report concludes that raising the minimum legal sales age for tobacco products nationwide will reduce tobacco initiation, particularly among adolescents aged 15 to 17, and that it will improve health across the lifespan and save lives; and that raising the minimum legal sales age for tobacco products to 21 nationwide would, over time, lead to a 12 percent decrease in smoking prevalence;⁹

WHEREAS, the Institute of Medicine also predicts that raising the minimum legal sales age for tobacco products to 21 nationwide would result in 223,000 fewer premature deaths, 50,000 fewer deaths from lung cancer, and 4.2 million fewer years of life lost for those born between 2000 and 2019, and that it would result in near immediate reductions in preterm birth, low birth weight, and sudden infant death syndrome;¹⁰

WHEREAS, a growing number of communities have enacted laws mandating a minimum legal sales age for tobacco products to 21,¹¹ including the states of Hawaii and California;¹²

WHEREAS, three-quarters of U.S. adults favor raising the MLSA for tobacco products to 21, including seven in ten smokers;¹³

WHEREAS, the retail impact of ordinances mandating a minimum legal sales age of 21 for tobacco products is expected to be minimal in the first years of the policy because it works by reducing or delaying initiation of smoking, especially among younger populations;¹⁴

WHEREAS, raising the legal drinking age to 21 led to reduced alcohol use and dependence among youth, and contributed to a decline in drunk driving fatalities;¹⁵

WHEREAS, **[Insert local data];**

RESOLVED, **[Insert organization]** recommends that **[insert jurisdiction]** raise the minimum legal sales age for tobacco products to 21.

Notes

Please feel free to contact the Tobacco Control Legal Consortium at publichealthlawcenter@mitchellhamline.edu with any questions about the information included in this guide or to discuss local concerns you may have about implementing such a policy.



This publication was prepared by the Public Health Law Center at Mitchell Hamline School of Law, St. Paul, Minnesota.

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Endnotes

- 1 Ctrs. for Disease Control & Prevention, *Current Cigarette Smoking Among Adults, United States, 2011*, 61(44) MORBIDITY AND MORTALITY WKLY. REP. 889, 891 (2012), <http://www.cdc.gov/mmwr/pdf/wk/mm6144.pdf>.
- 2 U.S. DEP'T OF HEALTH & HUMAN SERVS., *THE HEALTH CONSEQUENCES OF SMOKING — 50 YEARS OF PROGRESS: A REPORT OF THE SURGEON GENERAL*, ch. 12 p. 659 (2014), <http://www.surgeon-general.gov/library/reports/50-years-of-progress/index.html>.
- 3 *Id.*
- 4 *Id.* at 679.
- 5 Calculated by the Campaign for Tobacco-Free Kids based on data in the National Survey on Drug Use and Health (2014), U.S. Dep't of Health and Human Services. Substance Abuse and Mental Health Services Administration. Ctr. for Behavioral Health Statistics and Quality, National Survey on Drug Use and Health (2014); David Hammond, *Smoking Behaviour Among Young Adults: Beyond Youth Prevention*, 14 TOBACCO CONTROL 181 - 5 (2005); Paula M. Lantz, *Smoking on the Rise Among Young Adults: Implications for Research and Policy*, 12 TOBACCO CONTROL (Suppl 1) i60 - i70 (2003).
- 6 Angelica M. Morales et al., *Cigarette Exposure, Dependence, and Craving Are Related to Insula Thickness in Young Adult Smokers*, 39 NEUROPSYCHOPHARMACOLOGY 1816 (2014), <http://www.nature.com/npp/journal/v39/n8/full/np-201448a.html>.
- 7 U.S. DEP'T OF HEALTH AND HUMAN SERVICES, *A REPORT OF THE SURGEON GENERAL: PREVENTING TOBACCO USE AMONG YOUTH AND YOUNG ADULTS* (2012), <http://www.surgeongeneral.gov/library/reports/preventing-youth-tobacco-use>.
- 8 *E-cigarette Use Triples Among Middle and High School Students in Just One Year*, CTRS. FOR DISEASE CONTROL AND PREVENTION (Apr. 16, 2015), <http://www.cdc.gov/media/releases/2015/p0416-e-cigarette-use.html>.
- 9 INST. OF MED., *Public Health Implications of Raising the Minimum Age of Legal Access to Tobacco Products* (2015), <http://iom.nationalacademies.org/Reports/2015/TobaccoMinimumAgeReport.aspx>.
- 10 *Id.*
- 11 *Tobacco 21 Cities*, TOBACCO21.ORG (Apr. 2015), <http://tobacco21.org/wp-content/uploads/2015/04/Tobacco-21-Cities-new1.pdf>.
- 12 HAW. REV. STAT. § 709-908 (2015); CAL. BUS. & PROF. CODE § 22958(a)(2) (2016).
- 13 Brian A. King et al., *Attitudes Toward Raising the Minimum Age of Sale for Tobacco Among U.S. Adults*, 49 (4) AM. J. PREVENTATIVE MED. 583, 583 (2015).
- 14 See Jonathan P. Winickoff et al., *Retail Impact of Raising Tobacco Sales Age to Twenty-One*, 104 AM. J. PUB. HEALTH 18, 18 (2014).
- 15 William DeJong & Jason Blanchette, *Case Closed: Research Evidence on the Positive Public Health Impact of the Age 21 Minimum Legal Drinking Age in the United States*, J. STUD. ALCOHOL DRUGS 108 (Supp. 17 2014).