LICENSING TOBACCO RETAILERS IS RIGHT FOR OUR COMMUNITIES

Colorado youth are using tobacco products at alarming rates, threatening the health of our kids, our communities and the state as a whole.

Retailers are selling tobacco to kids, even though it is against the law.

Colorado research shows that more than 68% of youth under the age of 18 who attempt to buy tobacco products can complete the transaction. This is significant because nearly 90% of adult cigarette smokers first tried tobacco before the age of 18.

Gaps in federal and state law open the door to illegal sales to minors. Passing local law to include the following provisions would reduce underage sales of tobacco products:

1. Require tobacco retailers to have a license to sell tobacco.
2. Suspend or revoke the ability of individual retailers to sell tobacco if they repeatedly break tobacco sales laws.
3. Require cigars and e-cigarettes to be behind the counter.
4. Prohibit the sale of flavored tobacco including menthol cigarettes, smokeless tobacco, cigars and e-cigarettes.

Retail licensing reduces youth access to tobacco through friends and family, sometimes called “social sources.”

Colorado is one of only 12 states that does not require retailers to have a license to sell tobacco. In Colorado, local licenses are required to sell goods and services ranging from marijuana and alcohol to ice and Christmas trees. However, there is no statewide license required to sell tobacco, the deadliest consumer product.

In one study, youth who live in places that had a strong tobacco retailer license were 33% less likely to start smoking and 26% less likely to start vaping.

Additional studies show robust enforcement of a local ordinance can lower rates of cigarette and e-cigarette use among youth and young adults.

Retailer Licensing is the first step towards countering tobacco industry tactics targeting youth. Raising the minimum legal sale age and prohibiting the sale of flavored tobacco are additional ways to strengthen the policy.

For more information, visit www.TobaccoFreeCO.org/RetailerLicensing

RESTRICT FLAVORED TOBACCO PRODUCTS TO PROTECT YOUTH

Menthol cigarette use among current smokers in the U.S. by age (2012-2014)¹

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Menthol Cigarette Use (%)</th>
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</thead>
<tbody>
<tr>
<td>Ages 12-17</td>
<td>53.9%</td>
</tr>
<tr>
<td>Ages 18-25</td>
<td>50.0%</td>
</tr>
<tr>
<td>Ages 26-34</td>
<td>43.9%</td>
</tr>
<tr>
<td>Ages 35-49</td>
<td>32.3%</td>
</tr>
<tr>
<td>Ages 50+</td>
<td>32.9%</td>
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</tbody>
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Most youth who use flavored tobacco say that they would stop using tobacco products altogether if they couldn’t get them in flavors.³

The Family Smoking Prevention and Tobacco Control Act of 2009 bans flavored cigarettes, but menthol cigarettes and flavored chewing tobacco and e-juices are not included.⁴

At least two-thirds of youth tobacco users report using tobacco products “because they come in flavors I like.”²

Candy Flavors Aren’t the Only Issue: Nearly 9 in 10 African-American Smokers Aged 12 and Older Use Menthol Cigarettes.³

TODAY, FLAVORED TOBACCO PRODUCTS ARE WIDELY AVAILABLE AND MARKETED IN CONVENIENCE STORES FREQUENTLY VISITED BY YOUTH.⁶,⁷

Vape products sold in flavors like gummy bear, cotton candy, mango and mint appeal to young people and are often marketed in kid-friendly packaging.

Prohibiting the sale of flavored tobacco products is a proven strategy recommended by the CDC to reduce youth initiation and use.  

There is support for flavor restrictions. At least two states and more than 180 communities have passed restrictions on the sale of flavored tobacco products.

In June 2019, the city of Aspen passed an ordinance that banned the sale of all flavored tobacco products including mint and menthol.

www.tobaccofreeco.org/retailerlicensing

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RAISE THE AGE OF TOBACCO SALES TO 21

One in three Colorado high school students use tobacco. Vaping’s rising popularity among youth threatens to completely erase decades of progress to reduce nicotine and tobacco addiction.

Nearly 90% of adult cigarette smokers first tried tobacco before the age of 18 and nearly 95% by the age of 21.

Current laws aren’t enough. The legal age to purchase tobacco in most Colorado communities is 18 years old, but 56% of high school students think it’s easy to get cigarettes and 58% think it’s easy to get e-cigarettes.

There is evidence that raising the minimum legal sale age prevents youth use: The rate of youth smoking decreased by nearly 50% in Needham, MA within five years of raising the age to 21.

3 Calculated based on data from the Substance Abuse and Mental Health Services Administration (SAMHSA)’s public online data analysis system (PDAS), National Survey on Drug Use and Health, 2016, https://pdas.samhsa.gov/#/survey/NSDUH-2016-DS0001
More than a dozen states and 475+ cities have raised the legal sale age for tobacco to 21.

As of June 2019, Colorado city and town councils in Aspen, Basalt, Edgewater and Snowmass Village have added a provision raising the minimum legal sales age to 21 to their tobacco retail licensing law.

Service members between 18 and 21 deserve the same protections as their civilian counterparts from tobacco addiction. Of current smokers in the military, 38% report they began after joining the service.  

Raising the minimum legal sales age should be done in conjunction with retailer licensing in order to provide enforcement and have the greatest impact on reducing youth access to tobacco.

www.tobaccofreeco.org/tobacco21