

DATE: June 1, 2017
TO: Retailers in Tompkins County who sell tobacco, vape, and paraphernalia products
FROM: Frank Kruppa
RE: Tobacco 21 (T-21)

At its May 2, 2017 meeting, the Tompkins County Legislature passed *Local Law No. b of 2017*, raising the minimum legal age for tobacco sales from 18 to 21. Effective July 1, 2017, all products currently listed on the red-letter sign as prohibited for sale to persons under age 18 will be prohibited for sale to persons under age 21. This includes electronic cigarettes, vaping devices and liquids, and paraphernalia.

The Tompkins County Legislature took this step because raising the minimum legal age to 21 is an evidence-based way to reduce tobacco use initiation and potential long-term nicotine addiction among adolescents and teenagers.

As of July 1, all retailers who sell these products should have a new red-letter sign posted for age 21. Health Department staff plan to visit all retailers prior to July 1 to deliver a new sign and educational materials. However, it is the retailer's responsibility to post the proper sign by the effective date.

As is currently the case, the new law will be enforced by the Tompkins County Health Department, with compliance checks conducted by the Environmental Health Division of the Health Department. An education campaign will be directed by the Health Promotion Program of the Health Department.

If you have any questions, please do not hesitate to contact Health Promotion staff at (607) 274-6710. Visit www.TompkinsCountyNY.gov/health/T21 to download the red-letter sign, read an FAQ, or learn more about raising the minimum legal age as a way to help reduce tobacco and nicotine use by youth.

SALE of
cigarettes, cigars, chewing tobacco,
powdered tobacco, shisha
or other tobacco products,
herbal cigarettes, liquid nicotine,
electronic cigarettes, rolling papers
or smoking paraphernalia,
to persons UNDER 21 years of
age is PROHIBITED BY LAW.

Tompkins County Local Law No. b of 2017, Effective 7/1/2017. NYS Public Health Law, Article 13F

TOBACCO-21

What You Need to Know

Local Law No. b of 2017: No person shall sell any tobacco product, electronic nicotine delivery system, shisha, or smoking paraphernalia to persons under the Legal Age, which is age 21 years.



What is the new law?

This law prohibits retailers from selling cigarettes, cigars, smokeless or other tobacco products, electronic cigarettes, vaping devices or supplies, or paraphernalia to anyone under age 21.

When does this law go into effect?

This law takes effect on July 1, 2017.

Why did Tompkins County pass this law?

The intent of this law is to reduce adolescent and teen access to tobacco and nicotine products. Nicotine is a highly addictive drug, and individuals who delay use of nicotine until age 21 or 25 are significantly less likely to develop a lifelong addiction to the drug. The Institute of Medicine has determined that increasing the minimum legal age for tobacco purchase will likely prevent or delay the initiation of nicotine use by adolescents and young adults, especially for teens age 15-17 years.

What products does this law apply to?

The law applies to all products that are age restricted by the NYS Adolescent Tobacco Use Prevention Act (ATUPA), including but not limited to cigarettes, cigars, smokeless tobacco, shisha, e-cigarettes and vaping devices, liquid nicotine, and smoking paraphernalia.

Will new signage be required for stores in Tompkins County?

Yes. All retailers that sell applicable products are required to post in a place highly visible to customers, a sign that complies with the Tompkins County law on informing customers of the minimum sales age for these items. The sign is available at the Health Department, 55 Brown Road, Ithaca, or online www.TompkinsCountyNY.gov/health/T21.

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How will the new legal age affect age verification?

Retailers must verify that customers who ask for applicable products are at least 21 years old. If a customer looks like he/she is under 30 years old, retailers should ask for proof of age. Any of these documents constitutes acceptable proof of age:

- A valid photo driver's license or non-driver ID card issued by a state or other U.S. or Canadian government agency. New York State driver's licenses have a new vertical format only for those under 21, clearly stating "Under 21" at the top, making it easier for retailers to identify customers who are younger than 21.
- A valid passport.
- A photo ID issued by the armed forces of the United States.
- ID cards issued by employers, schools or colleges are not acceptable forms of ID.



What are the penalties for a violation?

Any person found to be in violation of this Local Law shall be liable for a civil penalty of no less than \$300 but no more than \$1,000 for a first violation, and no less than \$500 but no more than \$1,500 for each subsequent violation. Violations of this Local Law shall be separate from and, where applicable, in addition to a violation of the Adolescent Tobacco Use Prevention Act (ATUPA).

How will this law be enforced?

It will be enforced by the Tompkins County Health Department. Compliance checks may be conducted by the Environmental Health Division of the Health Department.

What if I have questions or need more information?

Contact the Health Promotion Program of the Tompkins County Health Department at (607) 274-6710. Or visit www.TompkinsCountyNY.gov/health/T21.

May 31, 2017
[TS]



Your Partner for a Healthy Community