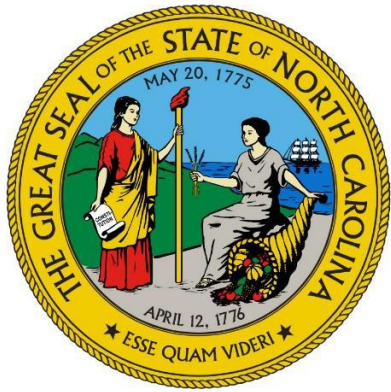


Preventing and Reducing Tobacco Use and Nicotine Addiction: Focus on Age of Sale and Retailer Permitting



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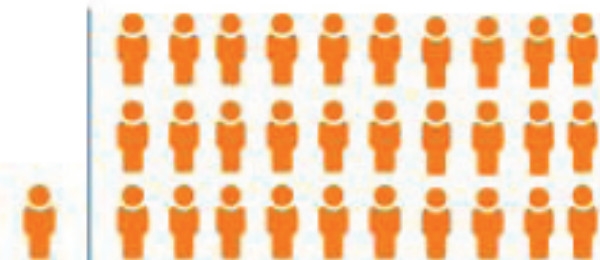
The Burden of Tobacco Use and Secondhand Smoke Exposure in NC

Tobacco use is the #1 cause of preventable death in North Carolina (and the U.S.)

Smoking causes more deaths each year than these causes combined:



For every death, **30** sick or disabled



The Health Consequences
of Smoking—50 Years of Progress

A Report of the Surgeon General

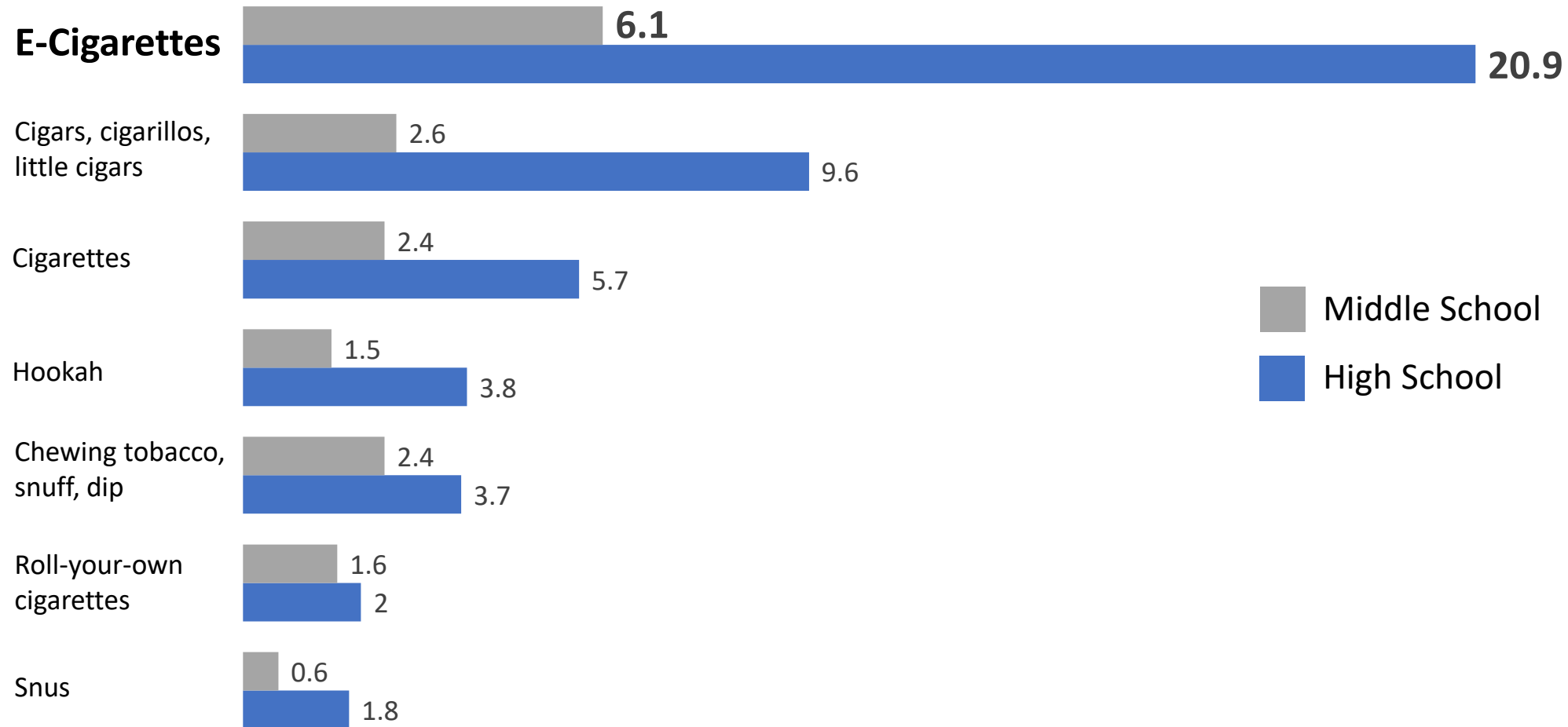


U.S. Department of Health and Human Services

95%
of tobacco users
start before the age of
21

E-cigarettes #1 Product Used by Youth

Past 30 Day Tobacco Product Use, NC YTS 2019

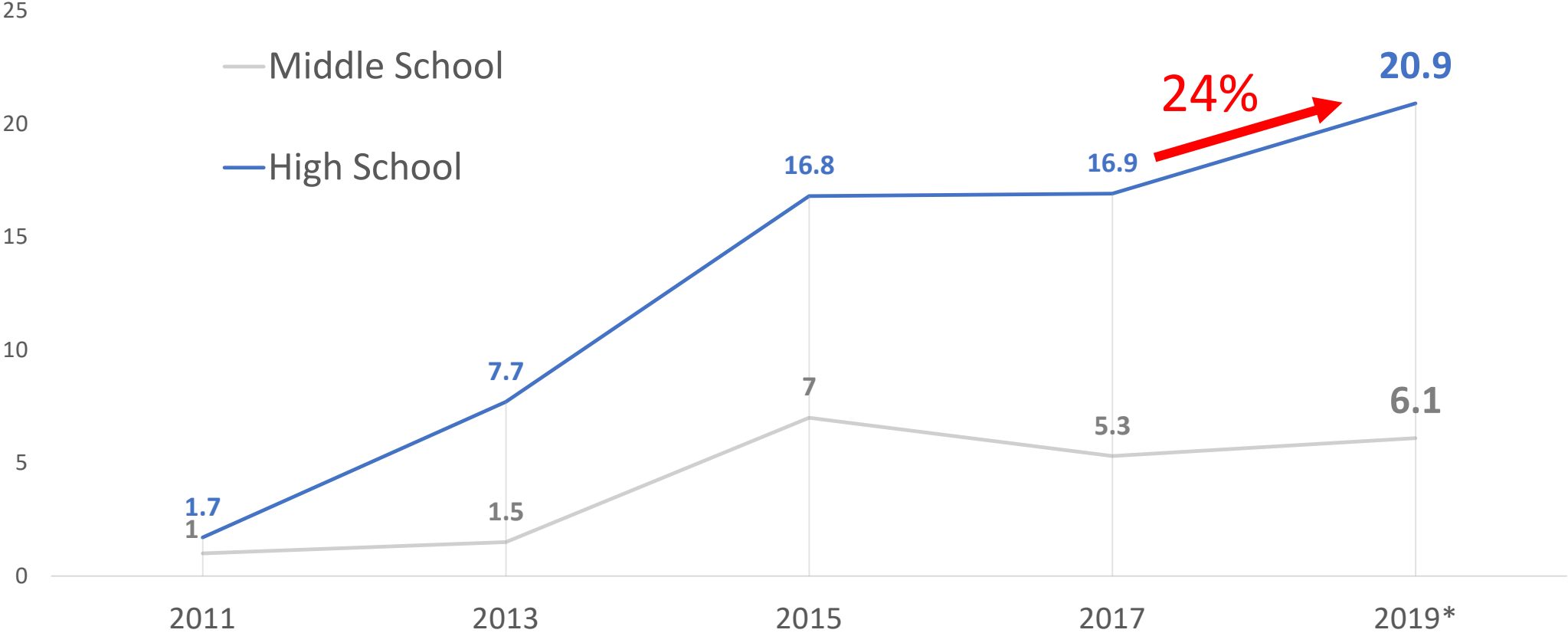


2019 estimates may not represent the full population due to low response rate

E-Cigarette Use Continues to Increase

Past 30 Day Use of E-Cigarettes, NC YTS

PERCENTAGE OF STUDENTS



*2019 estimates may not represent the full population due to low response rate

69.9% of young people who currently use e-cigarettes want to use one **within an hour** of waking up

19.4% want to use within **5 minutes** of waking

NC School Study Conducted in Collaboration with CDC



**Online survey of
574 school staff**



**35 in-person semi-
structured interviews
with school staff**



**Environmental assessment:
(e.g. collected e-cigarettes
confiscated by 6 schools for
student policy violations)**



E-cigarette devices and e-liquids confiscated by 6 N.C. Schools

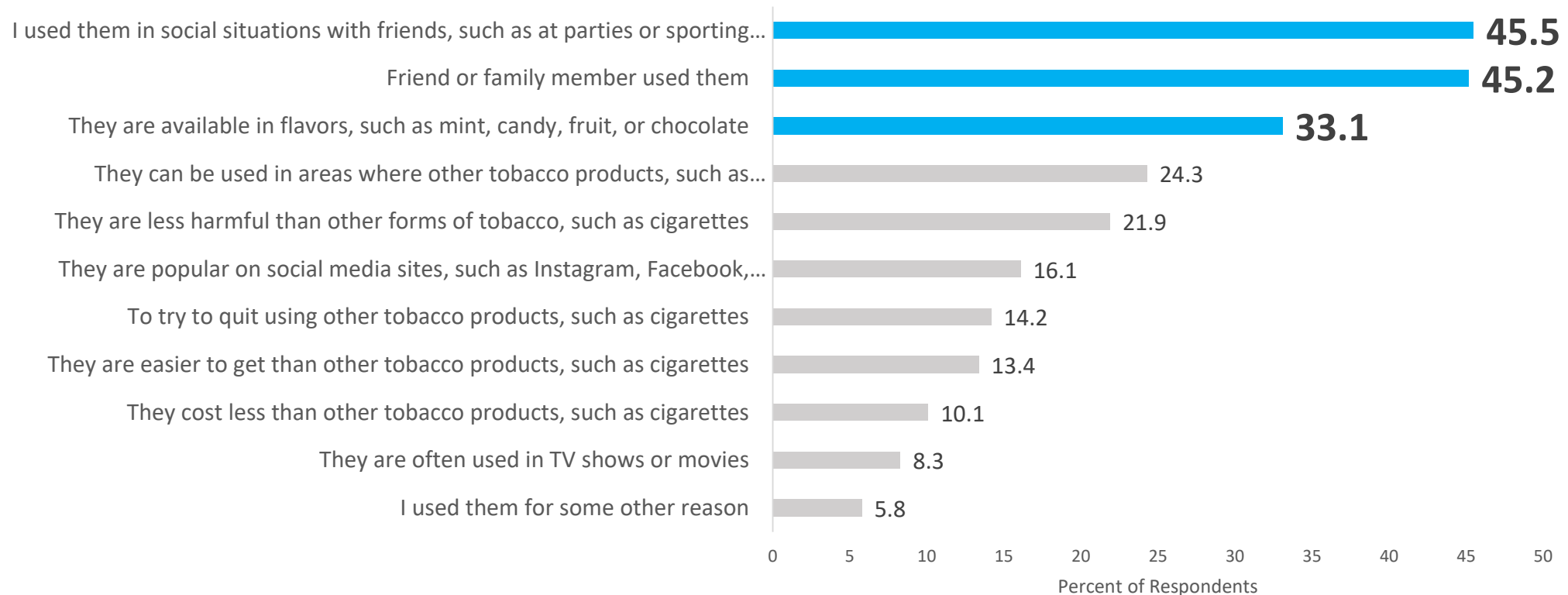
School Staff Reported that E-cigarettes are Somewhat or Very...



Source: CDC Collaborative School-based Study with North Carolina , 2020

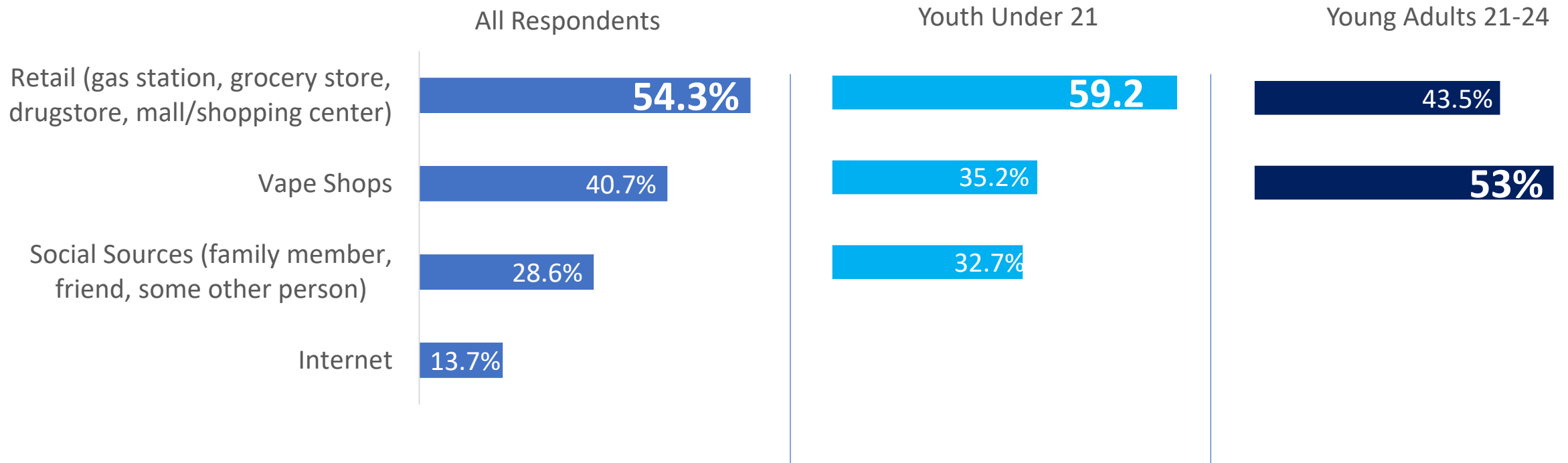
Young people use e-cigarettes for social reasons and because they come in flavors

What are the reasons you have used e-cigarettes? Select all answers that apply.
Among ever users (n=324)



Source: CDC Foundation. North Carolina Cross-Sectional, Online Survey Summary Tables. 2021: 1-104.

Young people primarily get their e-cigarettes from retail locations and vape shops



Categories with fewer than 25 responses not reported

The most common social source of e-cigarettes among youth aged 13-17 is **from a friend** under the age of 21

Source: CDC Foundation. North Carolina Cross-Sectional, Online Survey Summary Tables. 2021: 1-104.

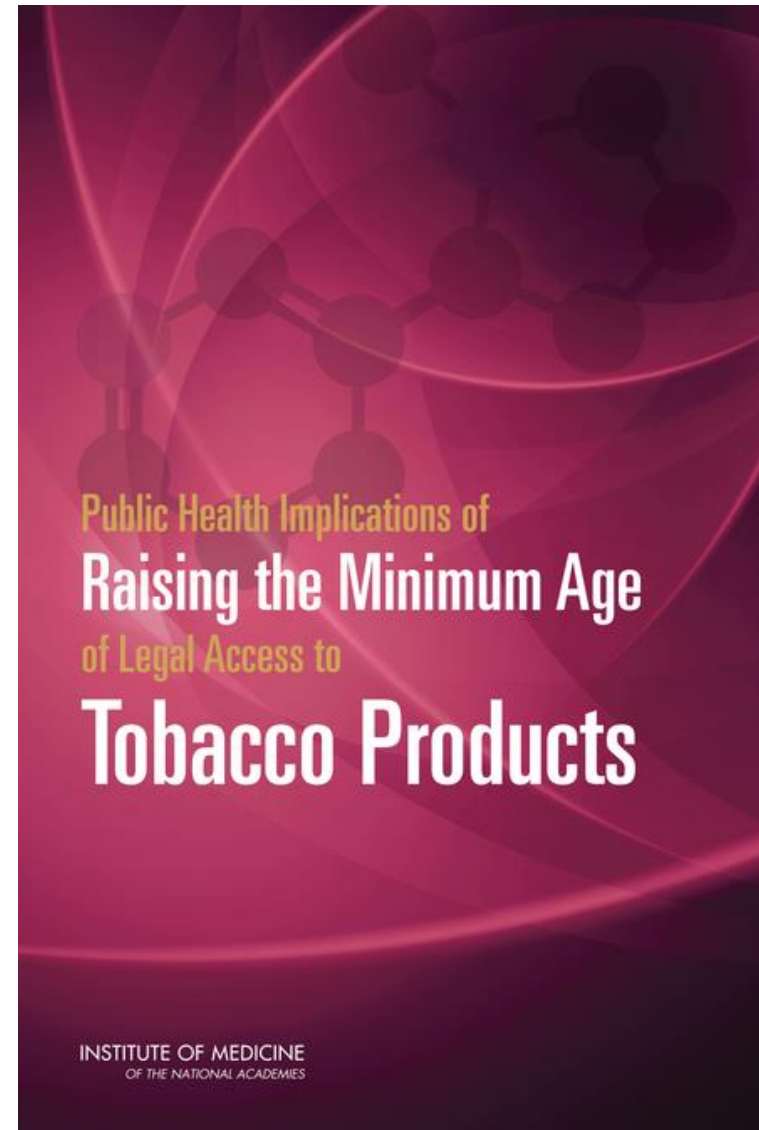
TOBACCO

~~eighteen~~ **twenty-one**

Raising the purchase age of tobacco and nicotine products would result in 4.2 million fewer years of life lost for today's children.

Improve maternal, fetal and infant outcomes by reducing the likelihood of maternal and paternal smoking.

The U.S. Surgeon General and the National Academy of Medicine have identified the licensing of tobacco retailers as an **evidence-based** measure to reduce tobacco sales to youth.

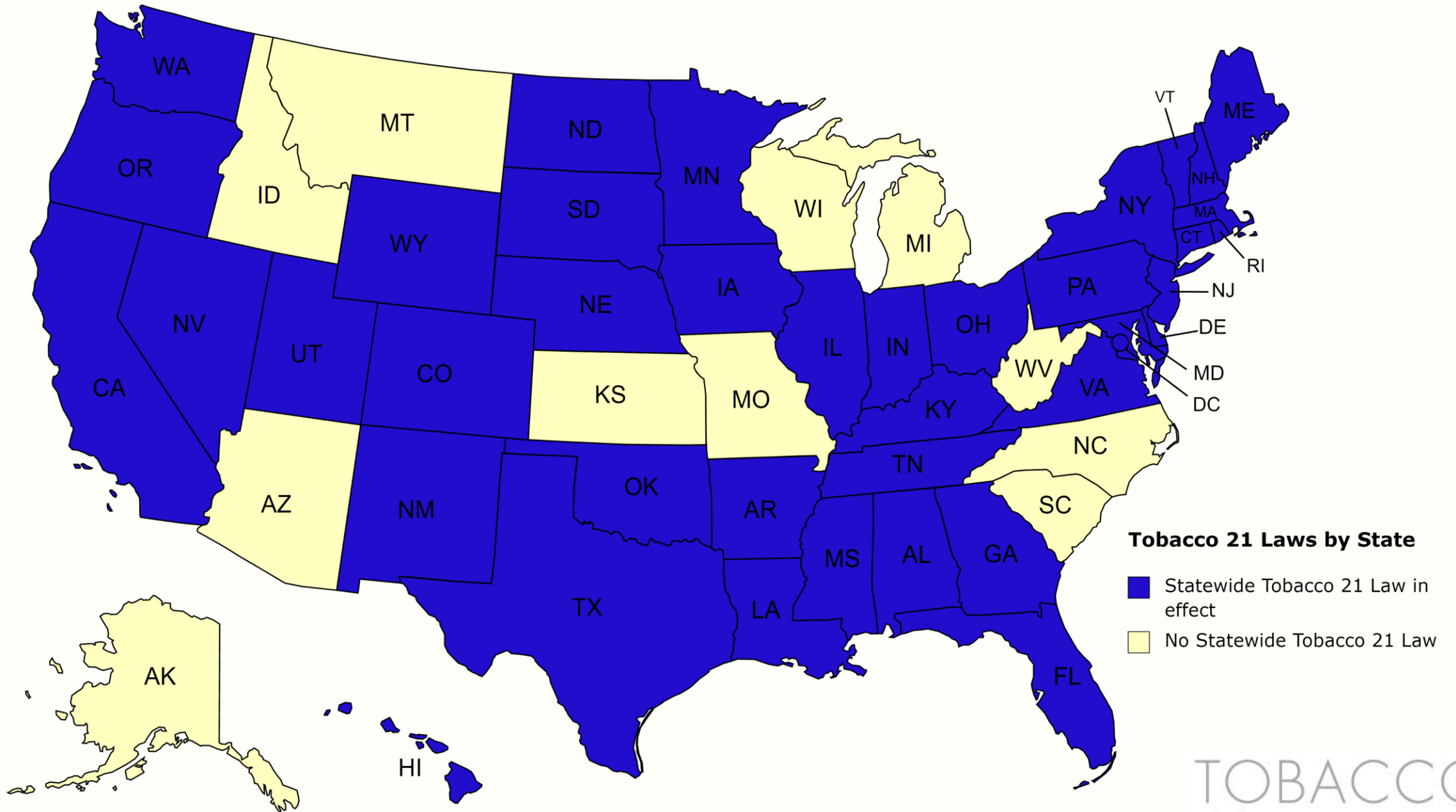


Public Health Implications of
Raising the Minimum Age
of Legal Access to
Tobacco Products

INSTITUTE OF MEDICINE
OF THE NATIONAL ACADEMIES

Tobacco 21 Policies

- In December 2019, Congress increased the federal minimum legal sales age of all tobacco products, including e-cigarettes, from 18 to 21.
- While a majority of states **(39 states)** as of January 2022, have increased their minimum tobacco sales age to 21 to match federal law, North Carolina's minimum sales age remains 18.



Tobacco 21 Laws by State

- Statewide Tobacco 21 Law in effect
- No Statewide Tobacco 21 Law

Federal Synar Amendment

- Federal law, known as the Synar Amendment, requires states to annually inspect a random sample of tobacco retailers to determine what percentage are selling to underage youth.
- If the percentage of underage sales goes above **20%**, the state may be forced to forfeit **millions** of federal Substance Abuse Prevention and Treatment block grant monies that fund prevention, treatment, and recovery initiatives, such as funding to address the opioid epidemic.
- Recent high violation rates in North Carolina have sounded the alarm to focus on reducing sales to youth.

Tobacco 21 Interagency Workgroup

NC Department of Health and Human Services

- NC Division of Public Health
- NC Division of Mental Health, Developmental Disabilities and Substance Abuse Services

NC Department of Public Safety

- Alcohol Law Enforcement

NC Alcohol Beverage Control Commission

NC Department of Revenue

Deficiencies Under Current Law

- NC Alcohol Law Enforcement Division (ALE) is authorized to enforce tobacco sales laws, but it is not authorized to conduct inspections of tobacco retailers.
- ALE is thus not routinely entering tobacco retail stores, unless the store also sells alcohol or lottery tickets (for which permits are required by law).
- Retailers that do not sell alcohol or lottery tickets are not inspected by ALE — making it easier for them to engage in illegal practices.
- Limited ability to know where tobacco products are being sold; can't ensure that tobacco retailers are obeying the law if we don't know they exist.
- Even when ALE is alerted to bad practices on the part of tobacco retailers, it has limited investigatory tools at its disposal.

Licensing or Permitting of Tobacco Product Retailers is an Effective Means to Reduce Sales to Youth

- Currently, N.C. is one of **only 10 states** without a tobacco retailer permitting system
- Tobacco retailer permitting is beneficial because it:
 - Allows the state to know where tobacco products are being sold;
 - Allows the state to inspect for responsible retail practices;
 - Provides a more effective mechanism for enforcing the law when violations are detected; and
 - Provides a funding mechanism for inspections, retailer education and enforcement.

NC Tobacco Retailer Permitting Implementation

- The NC Alcoholic Beverage Control (ABC) Commission is well situated to oversee permitting of tobacco retailers.
 - Issues permits to all businesses that sell alcoholic beverages;
 - Helps permit holders comply with relevant laws and rules;
 - Can levy fines or suspend or revoke permits.
- Repeat offenses by NC alcohol permit holders are low.
 - In FY20, the ABC Commission received violation reports for $\approx 4\%$ of all active permit holders.
 - A second violation report was received for only ≈ 0.4 percent of active permit holders.
- The ABC Commission has the technical knowledge and much of the necessary infrastructure already in place to:
 - Significantly streamline the tobacco retailer permit application process for alcohol sales permit holders;
 - Work with ALE to enforce laws against underage sales of tobacco products, just as it does for alcohol.

Conclusions

- N.C. has experienced an **alarming increase** in the use of tobacco products by young people—especially e-cigarettes, which are mostly acquired from retailers.
- It's important to **prevent** the sale of tobacco products to people under age 21.
- To **match federal law and most other states**, N.C. needs to raise the age of purchase to 21.
- N.C. is at risk of **losing millions** of federal dollars for substance use disorder treatment if it does not effectively prevent underage sales of tobacco products
- A tobacco retailer permitting system is an **evidence-based** measure to reduce tobacco sales to youth.
- N.C. needs a **level playing field** among tobacco retailers—making it easier to educate and inspect all retailers to reduce illegal sales to underage youth.



Questions