

ORANGE COUNTY BOARD OF HEALTH
AGENDA ITEM SUMMARY

Meeting Date: March 25, 2015

Agenda Item Subject: Resolution to Raise Age of Sale of Tobacco Products To 21

Attachment(s): Resolution

Staff or Board Member Reporting: Tiffany Mackey, MPH & Orange High School TRU

Purpose: Action
 Information only
 Information with possible action

Summary Information:

To protect adolescents from the hazards associated with tobacco addiction and the long-term health problems of tobacco usage, TRU youth are in support of the Board of Health passing a resolution that would support raising the legal age to purchase tobacco to 21. TRU students collected 318 signatures calling on the Orange County Board of Health to pass a resolution supporting a change in the legal limit to purchase tobacco from 18 to 21 years of age in order to protect adolescents from the dangers of smoking at a young age.

Background: In the United States, tobacco use remains the leading cause of preventable death, killing 480,000 people annually. ⁱTobacco use is directly associated with cancer, respiratory illnesses, heart disease and many other life-threatening diseases. 700 kids under the age of 18 become regular, daily smokers, every day. Nearly 33% will eventually die from it. If current trends persist, 5.6 million of today's youth will die prematurely from a smoking-related illness. ⁱⁱ

"Raising the legal minimum age for cigarette purchaser to 21 could gut our key young adult market (17-20) where we sell about 25 billion cigarettes and enjoy a 70 percent market share."

— Philip Morris report, January 21, 1986ⁱⁱⁱ

Recommended Action: Approve
 Approve & forward to Board of Commissioners for action
 Approve & forward to _____
 Accept as information
 Revise & schedule for future action
 Other (detail): Pass a resolution to increase the age of sale on tobacco products from 18 to 21.

ⁱⁱ U.S. Department Of Health And Human Services. (2014). *The Health Consequences of Smoking-- 50 years of Progress: A Report by the Surgeon General* . Rockville: U.S. Department Of Health And Human Services.

ⁱⁱⁱMorris, P. (1986, January 1). *Discussion Draft* . Retrieved January 8, 2015, from Legacy Tobacco Documents Library: <http://legacy.library.ucsf.edu/tid/aba84e00/pdf>

²Substance Abuse and Mental Health Services Administration (SAMHSA). (n.d.). *Results from the 2013 National Survey on Drug Use and Health: Summary of National Findings* . Rockville: U.S. Department Of Health And Human Services .

RESOLUTION TO RAISE AGE OF SALE OF TOBACCO PRODUCTS TO 21

WHEREAS, the Orange County Health Department's mission is to enhance the quality of life, promote the health, and preserve the environment for all people in the Orange County Community and

WHEREAS, the health consequences of smoking are staggering, and there is irrefutable evidence that tobacco use causes cancer, respiratory and cardiac diseases, infertility, negative birth outcomes, irritations to the eyes, nose and throat. (Tobacco Twenty-One)

WHEREAS the economic losses in health care expenditures are equally important. Tobacco products cost the U.S. as much as \$170 billion in health care expenditures each year. (Tobacco Twenty-One)

WHEREAS, nearly 90% of all smokers begin smoking before the age of eighteen (Centers for Disease Control and Prevention , 2014)

WHEREAS, in North Carolina, 1 in every 10 middle school student is a tobacco user and 3 in every 10 high school students is a current tobacco user, and

WHEREAS, in North Carolina, 8,676 middle school students are currently smoking cigarettes; and 55,688 high school students are currently smoking cigarettes; (North Carolina Tobacco Prevention and Control Branch)

WHEREAS, there is supportive evidence that increasing the age of 21 will save more lives and the age of 21 reduces initiation in younger children and lessens the likelihood of addiction in older teenagers;

WHEREAS, we believe in the need to educate and empower youth about the harmful effects of tobacco use and prohibit these incidences of purchase until the conscious age of 21 years;

WHEREAS, penalties included in G.S 14-313 Youth access to tobacco products, tobacco-derived products, vapor products, and cigarette wrapping papers would remain the same;

WHEREAS, in recognition of the damaging effects of preemption and the importance of community tobacco control policies, both the Healthy People 2010 and the Healthy People 2020 objectives, which are developed by the Department of Health and Human Services to set the national public health agenda for each decade, include an objective calling for the elimination of all state laws that preempt local tobacco control policies; (Department of Health and Human Services, 2013)

THEREFORE BE IT RESOLVED, the Orange County Board of Health requests that the North Carolina General Assembly restore local control over tobacco policies by rescinding preemption; therefore, granting Orange County the legal authority to protect residents from known public health threats by enacting innovative, evidence-based policies such as an increase in the minimum sale age of tobacco products from 18 to 21. The lifting of preemption reinstates local capacity to develop public policy and revitalizes community debate, education and empowerment. We also call on other Boards of Health to request the restoration of local control over tobacco policies so as to better help prevent youth initiation.

References

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- Department of Health and Human Services. (2013, April 5). *State Preemption of Local Authority to Engage in Evidence-Based Tobacco Control Policies*. Retrieved March 17, 2015, from NC Alliance for Health : <http://www.ncallianceforhealth.org/Media/Tobacco/North%20Carolina%20preemption%20LOE%204%2015%202013.pdf>
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Increasing the Sale of Tobacco Age to 21

Tiffany Mackey, MPH
Orange High School TRU Leaders
Board of Health Meeting
Wednesday, March 25, 2015

“Raising the legal minimum age for cigarette purchaser to 21 could gut our key young adult market (17-20) where we sell about 25 billion cigarettes and enjoy a 70 percent market share.”

— Philip Morris report, January 21, 1986

WHAT'S THE "WHY?"

90% begin
before the age
of 18



Economic
Losses



Health
Consequences

TOBACCO USE PREVALENCE

**NC
Middle
Schools**



1 in every 10
(~29,845) middle
school students is a
current tobacco user

**NC
High
Schools**



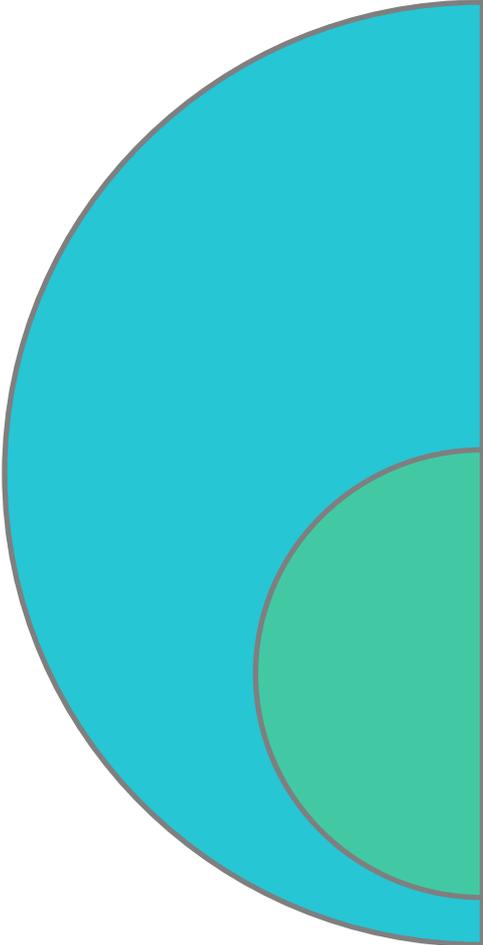
3 in every 10
(~122,514) high
school students
are current tobacco
users

ORANGE HIGH TRU

1. **Trifecta Training**
 - a) Product placement
 - b) Marketing
 - c) Retailer stores and minority neighborhoods
2. **How do youth get cigarettes?**
3. **Why do you care if youth smoke?**
4. **Do you think increasing the age of sale is a good idea? If so, why?**



BENEFITS OF RAISING THE MINIMUM AGE OF LEGAL ACCESS (MLA) TO 21



Delay the age, reduce the risk

Increase the age gap between adolescents initiating tobacco use and those who can legally provide them with tobacco products by helping to keep tobacco out of schools.

“Hey, are you sure you’re 21?”

MLA of 21 may simplify identification checks for retailers, since many state drivers’ licenses indicate that a driver is under the age of 21 (e.g. license format, color or photo placement).

RESEARCH-SUPPORTED APPROACH

INSTITUTE OF MEDICINE, MARCH 2015

- Will likely prevent or delay initiation of tobacco use among adolescents and young adults
 - Greatest impact on youth 15-17 years old
- Anticipated decrease in adult smoking, based on modeling, if MLA is increased to:
 - 19 years old = 3% decrease
 - 21 years old = 12% decrease
 - 25 years old = 16% decrease

Institute of Medicine. (2015). Public Health Implications of Raising the Minimum Age of Legal Access to Tobacco Products. Retrieved from: http://www.iom.edu/~media/Files/Report%20Files/2015/tobacco_minimum_age_report_brief.pdf

GROWING MOMENTUM ACROSS THE US

- More than 50 localities in 7 states have increased the min. legal age to 21 y/o since 2013
- IOM report in March 2015 may add momentum to the trend
- No localities in the South have taken action

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

Orange County can be a leader in NC

Source: Tobacco21.org

PREEMPTION IN NC

Examples of areas in which OC is preempted by state:

- **Marketing/Advertising** (tobacco, incl. e-cig)
 - Display (product shelving/storage), promotion, sampling (free samples!)
- **Sale/Distribution**
 - Youth Access (tobacco, incl. e-cig) NC preemption: sales to youth (which prohibits OC from increasing minimum legal sales age), distribution of products to minors
 - Licensing
- **Taxation**

WHY LIFT PREEMPTION?

Foster accountability

Spur innovation

Tailor policies to community needs

Encourage progress

Build the movement

RESOLUTION -- WHAT ARE THE “ASKS”?

- North Carolina General Assembly to restore local control over tobacco policies by rescinding preemption. Granting Orange County the legal authority to:
 - protect residents from known public health threats by enacting innovative, evidence-based policies such as an increase in the minimum sale age of tobacco products from 18 to 21.
 - Reinstate local capacity to develop public policy, engage in community debate, education and empowerment.
- We also call on other Boards of Health to request the restoration of local control over tobacco policies so as to better help prevent youth initiation.

REFERENCES

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