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### **Minimum Sale Age and Other New California Tobacco Laws**

Joining the State of Hawaii and 188 other U.S. municipalities, California passed a new law to increase the age of tobacco purchase to age 21, which takes effect, along with other new tobacco laws, this week, on June 9<sup>th</sup>. According to the new laws, retailers can sell tobacco products or paraphernalia only to individuals who are at least 21 years old. The laws that apply to the sale of traditional tobacco products also apply to the sale of electronic smoking devices like e-cigarettes. The laws require that tobacco retail outlets post an Age-of-Sale warning sign and check ID, and retailers cannot have self-service displays of tobacco products or paraphernalia (including electronic smoking devices).

Senate Bill 7 X2, which increases the minimum smoking age with the exception of active duty military, is intended to decrease youth tobacco addiction. Ninety percent of current and former smokers began smoking before the age of 21. A 15- to 17-year-old is less likely to know a 21-year-old than an 18-year-old who will buy cigarettes for them.

The 2015 California Youth Tobacco Purchase Survey found that tobacco sales to minors at retail outlets occurred at a rate of 7.6 percent statewide. Since the minor's ID is already in portrait and marked with a red stripe for alcohol purchases, the sales clerks will not need to do the math with the new law in effect to determine the age of the customer.

Senate Bill 5 X2 defines and regulates e-cigarettes and other vaporized liquids as tobacco products. The definition of "tobacco product" is expanded to include any electronic smoking device or any component, part, or accessory, including cartridges and solutions, whether or not they contain nicotine, or whether sold separately. Because the definition of tobacco product is expanded, electronic smoking devices are now included in all of the State's no smoking laws.

In addition, as of October 1, 2016, all electronic smoking device cartridges and solutions used for filling or refilling devices must be sold in child-resistant packaging that meets federal poison prevention standards.

Other public health laws signed by Governor Brown this spring include Assembly Bill 7 X2, which closes loopholes in the state's smoke-free laws, and Assembly Bill 9 X2, which requires all California school properties to be tobacco-free zones. Both Inyo and Mono schools have been tobacco-free zones since the 1990's.

Currently in California, the license to sell tobacco is a one-time fee. Assembly Bill 11 X2 increases tobacco licensing fees and requires annual renewal to cover the cost of administering and enforcing the licensing program. The new licensing requirements, which now also apply to any retailer that sells electronic smoking devices, will take effect January 1, 2017.

One bill not signed by Governor Brown is AB 10 X2, which would have allowed county boards of supervisors to impose local tobacco tax increases.

Retailers throughout California are preparing to comply with the new law this week. The California Department of Public Health (CDPH) finalized signage for stores reflecting the Tobacco 21 Law and launched a webpage with information on the new laws. The webpage is <http://www.cdph.ca.gov/programs/tobacco/Pages/Tobacco21.aspx>. Retailers can download and print signage from the website, and CDPH will be sending retailers packets of signs in the mail this month.

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Information for retailers on the Tobacco 21 Law:

<http://www.cdph.ca.gov/programs/tobacco/Pages/Tobacco21.aspx>

Tobacco prevention and cessation information: April Eagan at Inyo County Health & Human Services, Public Health & Prevention Division, at [aeagan@inyocounty.us](mailto:aeagan@inyocounty.us) or 760-872-0900

California Smokers' Helpline: 1-800-NO-BUTTS