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Increasing the “Smoking Age”: The Right Thing to Do

Michael B. Steinberg, MD, MPH and Cristine D. Delnevo, PhD, MPH

Rutgers–Robert Wood Johnson Medical School and the School of Public Health, New Brunswick, New Jersey

Tobacco use remains the leading cause of preventable death in the United States, and the goal of comprehensive tobacco control is to reduce its harm to society. Helping smokers quit is insufficient—it is also critical to prevent young people from ever taking a puff on that first cigarette. Toward this aim, New York City has proposed to increase the legal age of sale for tobacco products from 18 to 21 years and to make it illegal for merchants to sell tobacco to persons younger than 21 years.

The proposed policy is grounded in strong epidemiologic evidence, given that nearly 90% of adults who smoke on a daily basis had their first cigarette by age 18 years (1), and the transition from tobacco experimentation to regular use typically occurs during young adulthood (1, 2). Moreover, as a means to reduce access to minors, it is important to consider that 90% of cigarettes purchased for them are done so by people aged 18 to 20 years (3). Young adults also serve as a primary role model for teens, and the tobacco industry has historically capitalized on this through heavy marketing to young adults (4). As such, making it more difficult for young adults to purchase cigarettes has the potential to interrupt the trajectory from experimentation to regular use. It may also have the benefit of further limiting minors' access to tobacco by cutting off their usual sources.

Like most tobacco-control policies, this proposal has garnered opposition. Some argue that the change will adversely impact the profits of small businesses, such as convenience stores. Few products generate the magnitude and consistency of profits as tobacco does—a product that users are addicted to. Others argue that it would be difficult to enforce. On the contrary, because New York State requires the number “21” to be prominently displayed on a driver's license, it may actually be easier to enforce than a younger purchase age. In addition, the argument that a law should not be passed because it will not be 100% enforceable is irrational. Should we eliminate all speed limits because some people continue to speed?

Requests for Single Reprints: Michael B. Steinberg, MD, MPH, Rutgers–Robert Wood Johnson Medical School, Division of General Internal Medicine, 125 Paterson Street, Suite 2304, New Brunswick, NJ 08903; michael.steinberg@rutgers.edu.

Current Author Addresses: Dr. Steinberg: Division of General Internal Medicine, Rutgers–Robert Wood Johnson Medical School, 125 Paterson Street, Suite 2300, New Brunswick, NJ 08903.

Dr. Delnevo: Rutgers School of Public Health, Department of Health Education and Behavioral Science, 335 George Street, Liberty Plaza, Suite 2100, New Brunswick, NJ 08901.

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Another argument is that New York City will see a loss in tax revenue by refusing sales to persons aged 18 to 20 years. This is a short-sighted viewpoint because the lost revenue should be considered in the context of the overall cost-savings of tobacco-control interventions and reduced tobacco prevalence (5). Some argue that unlike alcohol, tobacco does not alter your level of consciousness; therefore, tobacco can be sold to those aged 18 years. However, if it has been determined that a person should be 21 years of age to make a rational decision about the use of alcohol (a substance that kills far fewer people each year and is less physiologically addictive than tobacco), why shouldn't tobacco require the same age of sale? Clearly, persons aged 21 years have 3 more years of maturity than 18-year-olds and are in a better position to make a well-informed decision to participate in a potentially unhealthy behavior that could affect the rest of their lives. In addition, there is a high level of co-occurrence of tobacco and alcohol use, which can often lead to synergistic effects of disease, including many forms of cancer. Because the settings in which these substances are sold and used often overlap, establishing the same age of sale for both makes sense.

Lastly, people argue for individual rights. How can we take away the rights of an 18-year-old to smoke when he or she is old enough to vote or go to war? To be clear: The law would prohibit an 18-year-old from purchasing tobacco products in New York City, not from using them. Moreover, this argument does not follow any logical sequence. What does smoking have to do with being asked to serve in the Armed Forces? This line of reasoning seems reminiscent of Big Tobacco's strategy—obfuscate the issue with non sequiturs.

Ample evidence shows that increasing the legal age to purchase tobacco results in a decline in smoking in teens and young adults. Currently, 4 states and 2 counties have a tobacco age of sale of 19 years as opposed to the federal age of 18 years: Alaska, Alabama, Utah, New Jersey, and Nassau and Suffolk counties on Long Island, New York. In 2005, the town of Needham, Massachusetts, raised the tobacco age of sale to 21 years. After the minimum sale age was increased from 16 to 18 years in England, smoking in youth aged 16 to 17 years declined by 30% (6). Sweden increased its age of sale to 18 years in 1997, after which the success of underage purchases went from 84% to 48% of encounters (7). A hypothetical health policy model in which the tobacco age of sale is increased to 21 years projected that youth smoking prevalence could be expected to drop from 22% to less than 9% among persons aged 15 to 17 years within 7 years (8).

New York City officials estimate that increasing the age of sale to 21 years will result in a 55% reduction in tobacco use among persons aged 18 to 20 years and a 67% reduction among those aged 14 to 17 years (9). Two thirds of New Yorkers favor increasing the minimum age of sale for cigarettes from 18 to 21 years, including 69% of non-smokers and 60% of smokers (10). Also, other states, such as New Jersey, are now considering an increase in the age of sale for tobacco to 21 years. The potential adoption by surrounding states will strengthen each locality's policy because there will be less opportunity for cross-border purchasing. With most current smokers wanting to stop but having difficulty doing so, it seems ill-advised to defend the right for people to start smoking, especially at a young age. Preventing persons aged 18 to 20 years from slipping down the undesirable path of lifelong tobacco addiction will certainly not be accomplished by this one piece of legislation alone, but it is a start and is the right thing to do.

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