

Coalition for a Tobacco-Free West Virginia

Position Statement on Youth Access to Tobacco Products

Position: *The Coalition for a Tobacco-Free West Virginia supports legislation and regulations that prevent youth from obtaining tobacco products. In addition, all laws and regulations must be strictly enforced throughout West Virginia.*

To ensure that the cost of tobacco use in West Virginia will not continue to be a burden to the economy, long-term strategies must be directed at reducing the number of children who begin to use tobacco products. About 90 percent of smokers begin smoking before the age of 19. By reducing the number of children who begin to use tobacco products, we can reduce the future burden to the state Medicaid system and to the health care system in general.

Critical to the overall success of West Virginia's programming to prevent tobacco use is the need to dramatically limit the availability of tobacco products to youth. Experience from other states has demonstrated the most effective way to curtail youth access is through strong retailer controls coupled with strict enforcement and meaningful penalties for violators.

The Coalition for a Tobacco-Free West Virginia supports policies in the following areas to restrict youth access to tobacco products:

Ban direct access to tobacco products: Eliminating direct access by banning the "self-service" or countertop access of cigarettes, snuff, chewing tobacco and other tobacco products. Purchasers would have to request tobacco products from a clerk who would then get the products for purchaser. This prevents the shoplifting of tobacco products and encourages proof-of-age verification.

Require age verification of all purchasers under 27 years old: Current West Virginia law prohibits the sale of tobacco products to persons under 18 years of age. Photo identification is required to prove age if requested by retail clerk. Yet 61 percent of West Virginia's students less than 18 years of age who were current cigarette smokers report having purchased cigarettes without being asked to show proof of age, according to the 2002 Youth Tobacco Survey. Placing a mandatory proof of age requirement for all tobacco purchasers under age 27 would curtail tobacco being obtained by youth and eliminate guesswork by retailers.

Require tobacco retailer licensing with youth sale penalty provisions: In 2000 the West Virginia Legislature approved the licensing of tobacco retailers through the business franchise tax certificate. This was a first step in what is widely regarded as the most effective means of preventing the sale of tobacco products to youth. The risk to a retailer of losing the license to sell all tobacco products if they sell to minors is a meaningful and effective method of enforcing youth sale restrictions. West Virginia should utilize penalties similar to those being used to

restrict alcohol sales to minors including fines, temporary suspension and ultimate revocation of the right to sell the product for repeat violators.

West Virginia needs to aggressively fight the epidemic of youth tobacco use – 28.5 percent of high school students report smoking. The state's investment in tobacco prevention programs needs to be supported by strong youth access restrictions with strict enforcement.

Every year 4,900 West Virginia youth under 18 become daily smokers. If current trends continue, more than 42,000 West Virginia youth alive today will die early because of smoking (*Campaign for a Tobacco-Free Kids 2003*). We must act now to protect our children from a lifetime of addiction and early death and to promote the tobacco-free social norm that will result in saving lives and saving money for West Virginia.