

Raising the Minimum Age for Access to Tobacco to 21

Background

Tobacco control efforts appear to have positively impacted the uptake of smoking among the general population of school aged youth.¹

According to data from the Ontario Student Drug Use and Health Survey:

- There has been a significant increase in lifetime abstinence among students in 2013 compared to 2009 (80% vs. 74%).
- Past year initiation among all students (grades 7 to 12 combined) has decreased from 9% to 5% over the ten year period from 2003 to 2013.

Key Message: Raising the legal age of access to 21 has the potential to impact positively on future health outcomes.

Despite these recent improvements, smoking is still firmly established in older youth aged 18-19 at 11%, and rates are almost doubled among young adults aged 20 to 24 (21%; Canadian Community Health Survey, 2013).¹

Why Raise the Legal Age of Sale?

Health Impacts of Smoking in Adolescence

Evidence of the adverse health effects of smoking in young people has been accumulating for some time. In addition to the development of nicotine addiction, smoking in adolescence increases the frequency of respiratory symptoms, adversely affects the growth and development of the lungs, impairs lung function, changes lipid profile and is suggestive of the development of atherosclerosis.² Animal studies suggest that the developing adolescent brain may be vulnerable to the addicting properties of nicotine.^{3,4} Early initiation of tobacco use has been linked to increased intensity and duration of smoking, higher risk of nicotine dependence and a greater risk of developing smoking-related disease later in adulthood.⁵

Other Reasons for Raising the Minimum Age

The majority of smokers begin smoking in their teens or early twenties. Among US adults who become daily smokers, most begin using tobacco by the age of 18 (88%) and virtually all (99%) have begun smoking by age 26.² Prevention efforts aimed at adolescents and young adults during this vulnerable time for smoking initiation will reduce the likelihood that young people will go on to become smokers in later years.

Young smokers obtain cigarettes most commonly from social sources. According to the 2012-13 Youth Smoking Survey, almost three quarters (72%) of Canadian students in grades 6 to 12 who smoked in the last 30 days got their cigarettes from friends and family.⁶ Increasing the legal age of sale to age 21 would make it more difficult for underage smokers to gain access to cigarettes from older youth who would be less likely to remain in the same social networks after high school.

Evidence about Raising the Minimum Age

A recent consensus report by the US Institute of Medicine (IOM) reviewed the public health implications of increasing the minimum legal age of purchase for tobacco products. Based on simulation modeling using two different models, SIMSMOKE and the CISNET Smoking Population model, the IOM report concludes that raising the legal age of sale or purchase of 21 or 25 will have a substantial effect on the prevention or delay of tobacco uptake, resulting in decreases in smoking prevalence, immediate health benefits for youth and young adults, and reduced future morbidity and mortality from smoking related diseases. Simulation modelling predicted a reduction in prevalence of about 12% if the minimum age of access was raised to 21 and a 16 % decrease if the age was increased to 25. According to predictions of the two models, overall smoking prevalence in the US would range from 15.1% – 15.4% by 2020, decrease to 9.7% –12.2% by 2040 and reduce further in the year 2100 to between 7.7% and 11.2%, if the minimum age was raised to 21.³

At the time of publication of the IOM report, only 3 articles directly examined the effect of raising or enacting a tobacco minimum legal age law.^{7,8,9} All of these studies found that the policies decreased underage smoking prevalence. Estimates of the effect of raising the minimum age were produced by review of relevant literature such as the impact of raising minimum age of alcohol use¹⁰ and the effect of increasing enforcement for youth access laws¹¹ to inform a logic model.

Since the IOM report's release, emerging evidence indicates that raising the legal age of access in real world cases does decrease tobacco consumption among youth. Using a biennial regional survey of high school youth, researchers compared current smoking in the last 30 days in Needham, Massachusetts which had passed a local ordinance in 2005 to raise the legal purchase age to 21 with 16 surrounding communities that did not raise the age. From 2006 to 2010, larger declines in smoking were reported in Needham (13% to 7%) than in surrounding areas (15% to 12% $p<.001$).¹²

Public Opinion

A recent study assessed public support for raising the age to buy tobacco to age 21 using the Social Climate Survey of Tobacco Control, a cross-sectional survey of a nationally representative sample of US adults. More than two thirds (70.5%) of those who responded indicated their support for raising the tobacco age of purchase to 21.¹³

Data from an online panel of US adults yielded similar results. Among those surveyed as part of the Summer Styles internet survey, three quarters of those polled either strongly favoured (50.4%), or somewhat favoured (24.6%) raising the minimum age of purchase to age 21.¹⁴

A study of the public opinions of New Yorkers yielded similar levels of support for raising the legal age to purchase cigarettes from age 18 to 21. Among those surveyed, 60% of smokers and 69% of nonsmokers responded favourably to an increase in the legal purchase age.¹⁵ New York City raised the legal age of access to tobacco to 21 in May 2014.

Current Legislation

Canada

In Canada, the federal *Tobacco Act* makes it an offense to sell or supply tobacco to anyone under the age of 18. In Ontario, the minimum age of purchase is 19 years of age. The *Smoke-Free Ontario Act* requires retailers to request identification from youthful purchasers who appear to be under the age of 25. The Ontario government has added an identifier to drivers' licenses to assist retailers in identifying potential underage customers.¹⁶ In other Canadian provinces and territories, the minimum age of purchase requirements range from 18 (AB, SK, MB, QC, Yukon, NWT) to 19 years of age (BC, NB, NS, PEI, NL, Nunavut).ⁱ

United States

In the US, legislation to raise the legal age of sales to 21 has been passed by more than 80 local or regional authorities, including New York City.¹⁷ Hawaii has passed legislation to prohibit the sale, purchase, possession or consumption of cigarettes, other tobacco products, and e-cigarettes to those under age 21. The law will come into effect in January 2016.¹⁸ State level legislation is also being considered in California, New Jersey and Washington.¹⁷

Conclusion

Raising the legal age of access to 21 has the potential to impact positively on health outcomes years down the road. The extent of this impact can be optimized if it is part of a comprehensive approach to tobacco control that includes policy initiatives such as increased tax on tobacco products, reduced social and physical exposure to tobacco products, comprehensive prevention and cessation programming, effective enforcement, and monitoring and vigilance on the part of public health as novel products such as e cigarettes expand in the marketplace.

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ⁱ R Cunningham, personal communication, June 26, 2015.

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