

Tobacco Retailers and the FDA

Do you sell tobacco products? Then you must comply with these federal laws.*

On June 22, 2010, the Food and Drug Administration (FDA) published a rule that restricts the sale, distribution, and marketing of cigarettes and smokeless tobacco products to protect children and adolescents. The rule is required by the Family Smoking Prevention and Tobacco Control Act and is intended to protect kids by making tobacco products less accessible and attractive to them.

Check the photo ID with date of birth of anyone under age 27 who attempts to purchase cigarettes or smokeless tobacco.

Only sell cigarettes and smokeless tobacco to anyone age 18 or older. (Retailers must comply with more restrictive state or local laws. For example, the legal age in Alabama, Alaska, New Jersey, and Utah is 19.)

Only sell cigarettes and smokeless tobacco in a direct, face-to-face exchange. (The only exception is vending machines and self-service displays located in adult-only facilities where no person younger than 18 is permitted to enter. Please note that tobacco vending machines are banned in some states.)

Do NOT give away free samples of cigarettes.

Do NOT break open cigarette or smokeless tobacco packages to sell products in smaller amounts.

Do NOT sell single cigarettes (also called “loosies”).

Do NOT sell cigarette packages containing fewer than 20 cigarettes.

Do NOT give away free samples of smokeless tobacco except from a “qualified adult-only facility.”

Do NOT sell or give away items – such as hats, t-shirts, or lighters – with tobacco brands or logos.

Do NOT give away gifts or items in exchange for the purchase of cigarettes or smokeless tobacco, or in exchange for tobacco product proofs-of-purchase, coupons, or credits.

Do NOT sell flavored cigarettes.

*This is only a summary of the laws. For the full list of federal laws, visit:

www.fda.gov/BreakTheChain³.

*Retailers must also follow state tobacco laws. Please check with your state tobacco control office for more information.

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Why Are These Laws Important?
These laws are designed to make tobacco products less accessible and less attractive to youth. Every day nearly 4,000 kids try their first cigarette and 7,000 kids become daily smokers. Many of these children will become addicted before they are old enough to understand the risks, and they will ultimately die of tobacco-related diseases. As a retailer, you play an important role in protecting children and adolescents by complying with the law.

Join Us in Breaking the Chain of Tobacco Addiction
Join the FDA retailer education campaign, Break the Chain of Tobacco Addiction. Visit www.fda.gov/BreakTheChain for free training, tools, tips, resources, and contacts.

Do You Have Questions?
Contact the FDA Center for Tobacco Products:
Phone: 1-877-287-1373
E-mail: AskCTP@fda.hhs.gov
Website: www.fda.gov/BreakTheChain
Mail: U.S. Food and Drug Administration
Center for Tobacco Products
8200 Corporate Blvd., Rockville, MD 20850

WE FOLLOW THE LAW. WE DON'T SELL TOBACCO TO MINORS.
www.fda.gov/BreakTheChain