Federal Tobacco 21 Law

Message Map

Drafted on January 2, 2020

**New Federal law raises the legal age to purchase tobacco from 18 to 21**

|  |  |  |
| --- | --- | --- |
| **Key facts about the law** | **Tobacco 21 laws reduce youth tobacco use** | **What the law means for Wisconsin retailers and programs like WI Wins** |
| The Federal Tobacco 21 law makes 21 the legal age for purchasing tobacco products in the United States. | Most adult tobacco users start before the age of 21. According to the National Survey on Drug Use and Health, 80 percent of adult smokers started before they turned 18, and nearly 95 percent started before the age of 21.[[1]](#endnote-1) | While Wisconsin law has not been changed to match the Federal law, Wisconsin retailers must still immediately comply with the Federal law by not selling tobacco products to individuals under the age of 21. Individuals must be 21 years or older in order to legally purchase tobacco in Wisconsin and in the U.S. |
| The law is effective immediately, meaning that tobacco retailers in Wisconsin and other states cannot sell tobacco products (including e-cigarettes) to individuals under the age of 21. | 18 year old seniors are often a supply source for tobacco products for their younger classmates. By raising the tobacco purchasing age to 21, that social supply is disrupted since your typical high school student knows fewer 21 year olds than 18 year olds. [[2]](#endnote-2) | Wisconsin Wins compliance checks will continue to monitor the sale of tobacco products to those under the age of 18, per Wisconsin law. The U.S. FDA is responsible for enforcing the national T21 policy. |
| The U.S. Federal Drug Administration (FDA) is responsible for the enforcement of the law. | A 2015 report from the National Academy of Medicine showed increasing the minimum tobacco age to 21 will decrease smoking initiation among 15-17 year olds by 25 percent and initiation among 18-20 year olds by 15 percent.[[3]](#endnote-3) | Unlike the program’s compliance checks, WI Wins’ retailer materials and community education will focus on raising awareness of the Federal law and the requirement to not sell tobacco to those under the age of 21. |

1. Tobacco 21. (2019). Retrieved May 3, 2019, from <https://countertobacco.org/policy/tobacco-21/> [↑](#endnote-ref-1)
2. DiFranza JR, Coleman M. Sources of tobacco for youths in communities with strong enforcement of youth access laws. *Tobacco Control.* 2001;10(4):323-328 [↑](#endnote-ref-2)
3. |  |
   | --- |
   |  |

   Public Health Implications of Raising the Minimum Age of Legal Access to Tobacco Products. (2018, October 08). Retrieved May 3, 2019, from <http://www.nationalacademies.org/hmd/Reports/2015/TobaccoMinimumAgeReport.aspx> [↑](#endnote-ref-3)