

Retailers suffer, but officials say raising tobacco age decreases smoking

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(Photo: Lou Foglia / TNS)

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CHICAGO — In the past year, Cody Rector has seen most of the regular customers at his smoke shop near Loyola University disappear.

He said he's had to adjust his marketing to appeal to an older crowd after Chicago hiked the minimum age to buy tobacco products from 18 to 21 last year. Rector, general manager at All in One Smoke Shop in Edgewater, said he consistently turns away 18- to 20-year-olds, informing them of the law.



"We used to service all of the population (at Loyola)," Rector said. "We lost a significant amount of business."

The city's move, which went into effect in July 2016, is part of a growing trend by municipalities in the Chicago area and across the country to discourage teen smoking. Earlier this month, Lake County became the first county in Illinois to raise the minimum buying age to 21, which will take effect next year. Five states have passed similar statewide measures.

Healthy habits: Public health advocates and city officials say the changes lead to a healthier population, pointing to studies that show smoking is a habit formed young and longtime smokers are less likely to quit. But critics question the effectiveness of hodgepodge laws, saying teens will just hop a town over to get tobacco products or turn to a budding black market. And given an overall decline in smoking nationwide, some wonder if increasing the age to buy tobacco is necessary.

But city officials say the new law is working. Revenue from tobacco taxes is projected to be down about 7 percent this year, signaling fewer people are buying the product, according to officials. And the city's tobacco enforcement team has issued hundreds of citations to businesses that sell to minors. In more than 2,500 stings at city retailers since the minimum age was raised, the team found about 12 percent to be in violation, officials said.

"To get people to quit is much more difficult, so anything we can do to prevent an individual from starting is so important," said Dr. Julie Morita, commissioner of the Chicago Department of Public Health. With the older age requirement, teens "can no longer get their friends ... to purchase products for them," she added. "In a school setting, a 21-year-old in their social networks just doesn't happen."

Morita awaits data on youth smoking in the city since the buying age increased but said she's confident she'll see a decline. That would mirror the trend nationwide, where smoking continues to decrease among both teens and adults.

Across the country: Nationally, about 8 percent of high schoolers smoked cigarettes last year, down from nearly twice that in 2011 and down significantly from more than 30 percent for most of the 1990s, according to the Centers for Disease Control and Prevention. In Chicago in 2013, the most recent data available, about 10 percent of high schoolers smoked, Morita said. CDC records also show that in 2016, about 20 percent of high school students had tried any kind of tobacco product, including e-cigarettes used for vaping, down from 46 percent three years earlier.

Adult cigarette smokers nationwide decreased from about 21 percent in 2005 to about 15 percent in 2015, according to CDC data, continuing a downward trend since the 1960s, when more than 40 percent of adults

smoked.

Morita, pointing to the city's goal of a "tobacco-free generation," said she expects the teen smoking rate to continue to fall due to a number of initiatives, not only increasing the minimum age. She also noted Chicago's laws that restrict the sale of tobacco near schools, along with tax increases on cigarettes and e-cigarettes used for vaping, a practice that appeals to a younger smoker.

Morita and other supporters say they're encouraged by the increase in laws that raise the tobacco-buying age, and point to a 2015 study by the Institute of Medicine, now called the National Academy of Medicine, that sparked the movement. That research said most smokers start when they're teenagers and predicts a national movement to increase the tobacco buying age to 21 would cause a 12 percent decrease in tobacco use among today's teenagers by the time they become adults.

Focus on teens: Dr. Rob Crane, president of nonprofit Tobacco 21, which lobbies for local and statewide tobacco buying-age increases, said it's important to focus on teenagers to "prevent addiction before it starts."

Because the movement is still new, there's not a lot of data available to assess its effectiveness, Crane said, but he believes increasing the buying age is part of a solution. Such laws should be coupled with strong enforcement and other deterrent methods, like taxation, he said.

Retailers say the age increase hurts business at a time when they're already dealing with a drop in tobacco sales from compounding tax increases. With city, county and state tobacco taxes, Chicago is home to the highest price for a pack of cigarettes in the country, with customers paying \$7.17 in taxes per pack.

Tanya Triche Dawood, VP and general counsel of the Illinois Retail Merchants Association, said the buying-age increases are simply pushing sales to bordering jurisdictions and hurting retailers.

"Those sales are still going to occur, they're just going to occur elsewhere," she said. She also noted the growth of a tobacco black market with illegal sales of cheaper cigarettes, smuggled in from states with lower taxes.

The retail merchants have been part of a successful campaign to block a statewide buying-age increase to 21, most recently earlier this year. Dawood said legislators were sensitive to the border-sale issues and the loss of revenue. "That hurts everybody."

Because smoking rates are already down, creating unnecessary restrictions can have unintended consequences, said Mike Males, a researcher for the California-based Center on Juvenile and Criminal Justice, and author of books on youth and risk behaviors.

In this case, Males said he worries about the employment of 18- to 21-year-olds. In some places, the buying-age increases also come with restrictions on the age of employees conducting tobacco sales. Even without those, Males said employers could be hesitant to hire underage employees for fear of liability.

"Eighteen- to 21-year-olds don't have a problem with smoking, but they do have a problem with unemployment," he said. "I think it's time for the public health movement to back off. Normally when things are going this well ... you'd leave it alone."

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