RESOLUTION NO. 2025-XX

RESOLUTION IN SUPPORT OF TOBACCO 21 TO PROTECT OUR KIDS FROM VAPING AND NICOTINE ADDICTION

WHEREAS, one of every five deaths in North Carolina is associated with cigarette smoking,[1] and for each death, 30 more people are sick or live with a disability [2]; and

WHEREAS, 95% of tobacco users start before the age of 21[3]; and

WHEREAS, as of 2022, 27% of high school students in North Carolina report tobacco use. E-cigarette use has significantly increased among youth since 2011[4]; and

WHEREAS, nicotine is harmful to developing brains, and its use during adolescence can disrupt the formation of brain circuits that control attention, learning, and susceptibility to addiction [5]; and

WHEREAS, in a 2020 study among NC schools, a high proportion of school administrator and teacher respondents believed that e-cigarette use among students is somewhat or very problematic (91%), and that student e-cigarette use it is a somewhat or high priority issue for their school administration (90%)[6]; and

WHEREAS, most North Carolina young people obtain tobacco products, including e-cigarettes, from retailers. NC young people who get e-cigarettes from friends primarily get them from friends who are under 21[7]; and

WHEREAS, in 2019, Congress increased the federal minimum legal sales age of all tobacco products, including e-cigarettes, from 18 to 21. While a majority of states (43 states, as of October 2024) have increased their minimum tobacco sales age to 21 to match federal law, North Carolina's minimum sales age remains 18 [8]; and

WHEREAS, having the same legal sales age at 21 for alcohol and tobacco products reduces the burden on retailers; and

WHEREAS, North Carolina is one of only 9 states in the country that do not require tobacco retailers to obtain a license or permit[9]; and

WHEREAS, the North Carolina ABC Commission is capable of implementing an efficient and effective tobacco retailer permitting system based on the system also in place for alcohol retailer permitting; and

WHEREAS, establishing a retailer permitting system AND raising the minimum legal sale age to 21 will:

- Allow the state to know where tobacco products are being sold
- Improve merchant education efforts
- Allow the state to inspect for responsible retail practices
- Protect law-abiding retailers by holding non-compliant retailers accountable
- Prevent and reduce youth use of highly addictive nicotine products
- Help eliminate the use of e-cigarette and other emerging nicotine products in schools
- Reduce any confusion among retailers and consumers by having one legal sales age for state and federal law[10, 11]; and

WHEREAS, Under the Federal Synar law, states are expected to reduce the illegal sale of tobacco products to individuals under the age of 21. NC could lose over $5.2 million in annual funding from the Substance Abuse Prevention and Treatment Block Grant money (money NC uses to pay for drug treatment) through penalties under the federal Synar amendment if sales to underage youth are too high in required annual inspections[12]; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

Section 1. The City of Brevard supports policy changes for North Carolina to protect our children and youth from vaping and nicotine addiction by establishing a tobacco retailer permitting system, raising the minimum age of sales from 18 to 21, and adopting other needed provisions of legal sales of tobacco products to match federal law.

Section 2. This resolution shall be effective upon adoption.

Adopted and approved this the 6th day of January, 2025.

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Maureen Copelof
Mayor

ATTEST:

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Denise Hodsdon, CMC
City Clerk

Sources:

1) Centers for Disease Control and Prevention. Best Practices for Comprehensive Tobacco Control Programs—2014. 2014. https://www.cdc.gov/tobacco/stateandcommunity/best_practices/index.htm.
2) National Center for Chronic Disease Prevention and Health Promotion (US) Office on Smoking and Health. Reports of the Surgeon General. The Health Consequences of Smoking-50 Years of Progress: A Report of the Surgeon General. 2014.
3) Source: U.S. Department of Health and Human Services. Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General. Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2012.
4) Source: Tobacco Prevention and Control Branch, North Carolina Department of Health and Human Services. North Carolina Youth Tobacco Survey Middle & High School Fact Sheet. https://tobaccopreventionandcontrol.dph.ncdhhs.gov/data/yts/docs/2022-NCYTS-Factsheet-Infographic.pdf
5) U.S. Department of Health and Human Services. E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.
6) Tanz, L., Heck, C., Herzig, C., Ranney, L., Herndon, S., Martin, J., Hast, M., McGowan, E., Baler, G., Shamout, M., King, B., Tynan, M., Kansagra, S. (2020). Rapid Assessment of the Impact of E-cigarettes on Schools as Reported by School Staff and E-cigarettes Confiscated by Schools — North Carolina, 2019. Unpublished manuscript.
7) CDC Foundation. North Carolina Cross-Sectional, Online Survey Summary Tables. 2021: 1-104.
8) Preventing Tobacco Addiction Foundation, Tobacco 21, (2024), https://tobacco21.org/.
9) State Tobacco Activities Tracking and Evaluation (STATE) System Licensure Fact Sheet, Ctr. For Disease Control (last reviewed: November 1, 2024), https://www.cdc.gov/statesystem/factsheets/licensure/Licensure.html#anchor_1562854161.
10) Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General, U.S. Dept of Health and Hum. Serv. (2014), https://www.ncbi.nlm.nih.gov/books/NBK99237/pdf/Bookshelf_NBK99237.pdf.
11) Roee L. Astor, et al., Tobacco Retail Licensing and Youth Product Use, Pediatrics (Jan. 7, 2019), https://pediatrics.aappublications.org/content/pediatrics/143/2/e20173536.full.pdf.
12) Revision to SAMSHSA Guidance on Tobacco Regulation, Substance Abuse and Mental Health Services Administration (June 13, 2022).