

Notes on Nicotine Free Generation (NFG)

Nicotine Free Generation is a proposal to prohibit sales of nicotine products to those born on or after a specific date. Municipalities approving it in 2024 selected the specific date as 01/01/2004.

- Fourteen Massachusetts towns have already adopted NFG (and counting):
2020: Brookline
2024: Belchertown, Chelsea, Concord, Malden, Manchester-by-the-Sea, Melrose, Needham, Newton, Pelham, Reading, Stoneham, Wakefield, Winchester
Other municipalities are actively considering adoption (e.g., Marlborough, Montague, Northampton, Somerville)
- International:
NFG strategy has been endorsed by United Nations World Health Organization.
Tobacco and Vapes Bill passed UK Parliament 415-47 ("*Stopping the Start*"), 2024.
European Union called for "tobacco free generation", 2021.
- Approved by Massachusetts Supreme Judicial Court (Six Brothers Inc. vs. Town of Brookline), 03/08/2024
 - a. Originally, age 18-to-21; age increased town-by-town.
 - b. Needham in 2005 first city in US to raise age to 21.
 - c. Over 175 towns approved age 21 before Legislature acted statewide in 2018.
 - d. "No equal protection discrimination" (page 29 of opinion)
- Diseases
 - a. Well-known: Cancer of lungs, throat, mouth; heart disease; stroke; emphysema
 - b. Macular degeneration → blindness
 - c. COPD: Chronic Obstruction Pulmonary Disease (80% caused by smoking)
- Nicotine is an **entry drug for addiction** to many other addictive drugs, like fentanyl, cocaine, heroin.
- Deaths (US Surgeon General)
 - a. 20 million died from smoking between 1964 and 2014.
 - b. Second-hand smoke caused 2.5 million deaths.
- Smoking remains the leading cause of preventable death in the U. S., killing 480,000 people each year, more than car accidents, murders, suicides and drug overdoses *combined*.
- We have centuries-long traditions of different ages for different rights
 - a. Driving Learner's Permit: age 16; must be accompanied by driver over 18; Driving full license: 18
 - b. Truck driver's license: age 18 in-state (Massachusetts), age 21 out-of-state (Federal)
 - c. State Legislature: age 21; US House of Representatives: 25, US Senate: 30, President: 35
- **No one will lose an existing right.** It's not like seat belts, motorcycle helmets, raising age to 21, Prohibition.
- What about cannabis, alcohol, guns, sports betting?
 - a. **Tobacco may be the only legal substance that kills, even if used as recommended by the manufacturers.** We cannot name another. (Unlike asbestos and lead paint, which were banned completely, this gradual approach would not have as wide an impact.)
 - b. Cannabis and alcohol do not kill, if used as recommended by the manufacturers.
 - c. Guns, if used responsibly as recommended in hunting or a deterrent, do not kill people.
 - d. Sports betting, and other forms of gambling, do not kill, if used as recommended by promoters.
- Is this an effort to legislate changes in behavior?
No! The only behavior that will change is of the sales of the dangerous, addictive drug called nicotine. No one is proposing making possession illegal, even among children.
- Anti-smoking efforts **do** bring deep reductions over time.
1964: 42% smoked; 2022: <12% smoked, a 71% reduction.
- "We estimated that 1,186,500 lung cancer deaths in people born during 2006-2010 could be prevented if (a tobacco free generation) was achieved." – *Lancet Public Health*, October 2024
<https://pubmed.ncbi.nlm.nih.gov/39366730/>
- "Economic arguments often used by the industry to scare off smoking ban activity ... simply had no credibility with the public, which isn't surprising when you consider that our dire predictions in the past rarely came true."
— Philip Morris internal document (1994)
- **Legal:** MA communities have commitments for pro-bono (free) legal support for challenges. (None expected.)
– Interview in *New England Journal of Medicine*: <https://www.nejm.org/doi/10.1056/NEJMd0007543/full/>