

Notes on Tobacco Free Generation (TFG)

draft Nov 5, 2024

In the coming months, the Belchertown Board of Health will consider changes to our Tobacco Sales Regulations. Among the changes is a proposal to restrict sales to those born on or after 01/01/2004.

1. Nine Towns have already adopted TFG (and counting)

- a. Brookline (2020)
- b. Concord (2024)
- c. Malden (2024)
- d. Manchester-by-the-Sea (2024)
- e. Melrose (2024)
- f. Reading (2024)
- g. Stoneham (2024)
- h. Wakefield (2024)
- i. Winchester (2024)

Other towns are actively considering adoption (e.g., Marlborough 11/12/24)

2. TFG strategy has been endorsed by World Health Organization.

3. Approved by 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)

4. 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)
- d. Second-hand smoke caused 2.5 million deaths per US Surgeon General

5. Tobacco is an **entry drug for addiction** to many other addictive drugs, like Fentanyl, cocaine, heroin

6. 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

7. **No one will lose an existing right.** It's not like seat belts, motorcycle helmets, or raising age from 18-to-21.

8. 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.
- b. Cannabis does not kill, if used as recommended by the manufacturers.
- c. Alcohol does not kill, if used as recommended by the manufacturers.
- d. Guns, if used as recommended in hunting or a deterrent, do not kill people.
- e. Sports betting, and other forms of gambling, do not kill, if used as recommended by the promoters.

9. Is this an effort to legislate changes in behavior?

No! The only behavior we will change is of the sales of the dangerous drug called nicotine. No one is proposing making possession illegal, even among children.

10. Surgeon General 2014 (50th Anniversary of 1964 report):

- a. 20 million died of smoking
- b. 2.5 million died of second-hand smoke
- c. Ending smoking would prevent 500,000 deaths per year
- d. 1964: 42% smoked; 2022: <12% smoked, a 71% reduction.

11. Interview with "Distinguished Scholar" Law Professor Katharine Silbaugh, Boston University, in New England Journal of Medicine:

<https://www.nejm.org/doi/10.1056/NEJMo007543/full/>