

Nicotine-Free Generation (NFG) Overview

What is Nicotine:

The term *nicotine* includes all tobacco and synthetically derived nicotine products such as vapes or e-cigarettes, cigarettes, cigars, chew, and pouches.

The Problem:

Nicotine containing tobacco products remain the number one addiction and lethal substance in Massachusetts with over 9,000 deaths each year¹, over three times the number of deaths from the state's opioid crisis. Tobacco kills one-half of its users², accounting for 1 out of every 5 deaths in the US³. Despite decades of control efforts, the tobacco industry continually innovates new products and nicotine delivery methods, undermining regulation and targeting susceptible young adult populations.

Nicotine-Free Generation:

Nicotine Free Generation (NFG) prevents the creation of future demand for nicotine by preventing sales to anyone born after the designated birth date. The NFG policy uses a birthdate in place of an age to set a limit on retailers' ability to sell nicotine products. NFG is a definitive, streamlined approach to tobacco control. Those born before this date, who currently use nicotine, may be sold products indefinitely. The policy prevents sales to the next generation, phasing out sales slowly over time.

NFG:

- Respects the rights of users: Those who already use nicotine products can continue to be sold nicotine indefinitely. NFG doesn't shame or stigmatize users.
- Considers retailer needs: NFG is gradual, providing retailers time to adjust their business model so it does not depend on selling a deadly, addictive product—the market declines only marginally each year.
- Is socially reinforcing: Over time, teens and young adults will be further removed in age from those who can be sold nicotine, decreasing early nicotine initiation that sparks lifelong addiction.
- Accounts for personal rights and freedoms: The Massachusetts Supreme Court unanimously upheld the policy in Brookline⁴. Like asbestos or lead paint, selling tobacco is not a constitutional right. The purchase, use, or possession of tobacco is never criminalized.
- Provides a smooth transition: NFG avoids black market sales, as current dependent users are never cut off from legal nicotine access. Additionally, NFG curtails future demand by preventing the next generation from becoming addicted.
- Comes at the right time and place: NFG policy is spreading quickly, and has already been adopted by nineteen Massachusetts communities with over 580,000 residents. MA has led the country in spearheading nicotine policies such as flavor restrictions and the minimum sales age of 21. The Republic of the Maldives just enacted NFG. Many places are meaningfully considering NFG, including other jurisdictions in the US and the countries of UK, EU, Malaysia, Singapore, Ireland, Denmark, France, Spain, and Canada.
- In the Pioneer Valley: NFG has been enacted in Belchertown, Conway, Pelham, and South Hadley. Amherst has scheduled a vote in December. Other communities have expressed serious interest.

¹ Campaign for Tobacco-Free Kids, "The Toll of Tobacco in Massachusetts," April 17, 2024, <https://www.tobaccofreekids.org/problem/toll-us/massachusetts>.

² World Health Organization, "Tobacco," July 31, 2023, <https://www.who.int/news-room/fact-sheets/detail/tobacco>.

³ Centers for Disease Control and Prevention, "Health Effects of Cigarette Smoking," October 29, 2011, https://www.cdc.gov/tobacco/data_statistics/fact_sheets/health_effects/effects_cig_smoking.

⁴ Action on Smoking and Health, "Massachusetts Supreme Judicial Court Upholds Tobacco-Free Generation Law," March 8, 2024, <https://ash.org/massachusetts-supreme-court-upholds-tobacco-free-generation-law>.

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