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House hears testimony for, against total tobacco ban for those born after 2006

By Sam Drysdale, State House News Service
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A bill before the House would ban tobacco and nicotine product sales to anyone born after Jan. 1, 2006.

EAGLE FILE PHOTO

BOSTON — Massachusetts could become the first state to ban future generations from buying tobacco or nicotine products, a move that some say will finally end addiction to the harmful products, but others argue removes adult choices and freedom and would hurt small businesses.

The bill vetted Monday by the Public Health Committee is sponsored by Sen. Jason Lewis and Reps. Tommy Vitolo and Kate Lipper-Garabedian and would permanently block Bay Staters who are not yet old enough to buy tobacco from ever doing so legally here in the future.

The legislation would prohibit their sale permanently to anyone born on or after January 1, 2006. That group will turn 21 in 2027 — the legal age in Massachusetts when, under current law, they would be able to buy tobacco or nicotine. But it would remain illegal to them with the intention of phasing out the products without affecting older adults who already smoke cigarettes, vape or use nicotine pouches like Zyn.

"I know countless peers and friends who use nicotine pouches and e-cigarettes," Isabel Tashie, a rising senior at Needham High School, told the Joint Committee on Public Health at its hearing on Monday.

Tashie, who serves on the statewide leadership team for anti-tobacco organization The 84 Movement, said many of her friends began using nicotine products between ages 12 and 14.

The push for a statewide ban follows success for anti-tobacco activists locally. In 2020, Brookline became the first municipality in the country to ban the sale of nicotine products to individuals born after Jan. 1, 2000. Other towns have followed, including Malden, Melrose, Reading, Stoneham, Wakefield and Winchester.

The New England Convenience Store & Energy Marketers Association noted a number of cities and towns have also rejected similar local proposals, including Worcester, Peabody, Milton and Westfield.

Several dozens people signed up to testify on the bill Monday, both in support and opposition. Committee chair Rep. Marjorie

Decker said enough people signed up that it would take over two hours to get through all the testimony.

One of the last speakers, who testified at around 5:55 p.m. after waiting for hours, was a young man from Rowley who said the proposal "discriminates against an entire generation."

"It's hard to take seriously a committee that supports regulated marijuana use for individuals over the age of 21, yet pushes for a nicotine ban," said Alexander Chouvelon. "You champion bodily autonomy and harm reduction on one side and then turn around and criminalize nicotine. It's inconsistent, it's ideological, and it sends a mixed message."