

Some Massachusetts towns are trying to say goodbye to tobacco — forever

The moves are part of a global push to create a “nicotine-free generation.”



By Joanna Slater

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BROOKLINE, Mass. — The idea was ingenious, Richard Lopez thought: a slow but relentless way to phase out tobacco for good.

Lopez chairs the board of health in Reading, Mass., a town of 25,000 north of Boston. Last month, the board adopted a regulation to create what advocates call a “nicotine-free generation.”

Anyone born in 2004 or later will not be allowed to buy cigarettes or nicotine products in Reading when they turn 21, the legal age to purchase.

The policy will not affect older smokers, who are free to continue their habit, Lopez said. But with each passing year, more people will be banned from buying. It’s “an endgame for tobacco and nicotine,” he said.

Reading isn’t alone: five other communities in Massachusetts have taken the same step in recent months, building on the example set by Brookline, a Boston suburb, in 2020. At least two other cities in the state are contemplating joining them.

The moves put Massachusetts at the forefront of a global movement. Britain is considering banning cigarette sales to those born in 2009 or later. New Zealand, meanwhile, had adopted a similar ban but reversed course after a change in leadership.

It’s not clear whether the push by a handful of communities in Massachusetts to gradually ban tobacco will spread or fizzle out. Buyers can avoid the restrictions simply by going a mile or two to another town. But proponents say that other limits on tobacco — think banning smoking in restaurants or raising the age to purchase cigarettes to 21 — also started small.

Opponents have taken note. Peter Brennan is executive director of the New England Convenience Store and Energy Marketers Association, a group that represents more than 7,000 retailers in the region along with their suppliers. “You don’t have to be a nicotine user to think this is a little bit ridiculous,” Brennan said. “It’s virtue signaling of the worst kind by these boards of health.”

Local officials moved “so quickly that most people in the towns don’t even know it happened,” he added.

Nationally, adult smoking rates have trended down for decades and dipped below 11 percent for the first time in 2023, according to the Centers for Disease Control and Prevention. Smoking remains the leading cause of preventable death in the United States, killing 480,000 people each year, more than car accidents, murders, suicides and drug overdoses combined.

Anti-tobacco activists have been alarmed by the growing popularity of e-cigarettes and flavored nicotine pouches that they say are geared to appeal to young people. One in 10 high school students reported using e-cigarettes, also known as vapes, last year. Only 2 percent reported smoking cigarettes.

That the push for a generational ban on tobacco found traction in Massachusetts — a liberal state with a history of innovation in public health — is perhaps unsurprising. Back in 2005, the town of Needham, a Boston suburb, became the first place in the country to raise the legal age to purchase tobacco products to 21. Years later, the rule began to spread within the state and was ultimately enacted nationwide during the Trump administration.

In Brookline, an affluent town of 63,000, the proposal to gradually ban tobacco sales was spearheaded by Katharine Silbaugh, a law professor, and Anthony Ishak, a pharmacist. In 2020, the town voted to adopt a bylaw banning nicotine sales to anyone born in the 21st century.

The rule went into effect in late 2021, giving Brookline the distinction of being the only place in the world where a tobacco-free generation policy is in force. (Balanga City in the Philippines had adopted the policy in 2016, but tobacco companies launched a lawsuit that later blocked its implementation.)

Brookline, too, faced a legal fight. In March, however, the state’s highest court ruled against the convenience store owners who had challenged the new rule. It dismissed their arguments that the bylaw was unconstitutional and that municipalities lacked the authority to institute such restrictions.

Other cities and towns had been watching closely. In relatively quick succession, Stoneham, Wakefield, Melrose, Winchester, Malden and Reading adopted their own generational bans on sales of tobacco and e-cigarettes. The rules will take effect on Jan. 1, as people born in 2004 start turning 21. The cities of Medford and Newton are also exploring similar moves.

Maureen Buzby has worked as a regional tobacco control coordinator for several of the towns for more than a decade. She described her job as a game of whack-a-mole, trying to stay ahead of an industry that continues to find cheap and sleek ways to deliver nicotine.

Prior restrictions on tobacco were “Band-Aids,” Buzby said. By contrast, the generational ban “really protects younger people” without taking “anything away from anyone who’s already 21.”

Critics disagree. “These prohibition-style policies simply won’t work,” said David Spross, executive director of the National Association of Tobacco Outlets. People over 21 are “legally able to make every other kind of adult rational decision.”

In Brookline, the bylaw is a source of pride for some and deep frustration for others. In 2022, the town issued \$300 fines to four tobacco retailers after inspections revealed they weren’t complying with the rule, said Sigalle Reiss, Brookline’s public health director. Subsequent checks, however, did not find any violations.

Customers born after Jan. 1, 2000 — the cutoff date in Brookline — often react with anger and incomprehension to the news that they can’t purchase tobacco products, staff at three gas stations said.

“They say, ‘I can drink alcohol and buy marijuana, what is this?’” said Zameen Khan, who has worked at a Brookline gas station and convenience store for 30 years. He directs their attention to the notice posted on the window detailing the rule and suggests they go one town over.

Omar Audy, 49, owns two gas stations in Brookline with his father Elias, who was one of the plaintiffs in the case challenging the bylaw. He estimates that their tobacco sales have dropped by 30 percent since 2021.

“An adult should be able to do this,” said Audy with exasperation. “I feel very guilty telling people who are 24 they can’t buy cigarettes. How fair is that?”

As Audy fumed, a bearded man in flip-flops entered the small convenience store. Audy had informed him earlier that he couldn’t buy tobacco. “I’m 24!” the man said angrily. “It’s crazy, no?”

A few minutes later, a woman in a T-shirt and jean shorts came up to the cash register. She was down to her last cigarette. The ban didn’t apply to her — she was born in 1996 — but she expressed cautious approval. “I guess it’s healthier,” she said. “I wish I had never started smoking.”

Brennan, executive director of the convenience store association, didn’t rule out further legal challenges. He said the group was exploring its options, including a possible appeal of the March decision to the U.S. Supreme Court.

Reiss, the Brookline official, said it is too early to tell if the ban is having real-world impact. Public health policy is more effective when applied across multiple geographies, she said, but “you have to start somewhere.”

Brookline is a place that is willing to “push the envelope a little bit” to create a healthier community, Reiss added. “I guess I’m pretty proud.”