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OPPOSE FLAVORED TOBACCO BAN AND TAX INCREASE

Today, it is illegal to sell tobacco products to anyone under 21 years old. Nevertheless, the Governor is proposing a ban on the sale of any flavored tobacco products – even to adults 21 and older. We share New York’s goal that kids should not smoke or use any tobacco products, but prohibition is not the answer.

There is a better path forward. Instead of prohibition, policymakers and regulators should focus on equitable harm reduction solutions that prevent underage use and provide adult smokers the support, information, and choice they need to quit or move to less harmful smoke-free alternatives.

We’re making great progress without prohibition.

- Underage tobacco use rates are the lowest in a generation (1.5%)
- Adult tobacco use rates are the lowest in a generation (12%)
- All this progress has been made by keeping products in the legal, regulated system

Prohibition won’t work.

- Prohibition has a long history of failure
- An illegal, unregulated flavored tobacco market will replace the legal, regulated one
- Consumers will keep using flavored tobacco products – but without regulatory oversight

Prohibition will be harmful

- Prohibition will increase smuggling and tax evasion
- It will increase criminal activity – and I.D. won’t be checked
- It will create major law enforcement and criminal justice problems

Prohibition will put businesses, jobs, and tax revenues at risk

- In New York, 38.9% of all cigarettes are menthol
- Prohibition will hurt legitimate businesses, including small businesses, and their employees - There are over 13,000 retailers and over 126,000 employees
- Banning flavored tobacco will put significant state excise tax revenues at risk (\$432 M)
- Reductions in tax revenue will impact important programs that rely on this funding