

## North Plainfield may raise tobacco sale age to 21

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*Will raising the legal age for tobacco sale improve health or hurt small businesses?*



(Photo: Getty Images)

**NORTH PLAINFIELD** – The borough could become the ninth municipality in New Jersey to raise the legal age to purchase tobacco products from 19 to 21 if the borough council passes an ordinance on Monday.

A public hearing on the ordinance is scheduled for 7:30 p.m. June 22 at the council chambers, 263 Somerset St. More than 60 municipalities nationwide, including Sayreville, Highland Park and Princeton, have raised the legal sale age. New York City raised the age of tobacco sales in 2013 to 24.

Councilman Doug Singleterry, who introduced the ordinance, said a 2015 federal study by the Institute of Medicine showed that raising the age of tobacco sales to 21 will reduce smoking by 12%. He said that raising the age would have a benefit to public health "in the long run."

The study showed that raising the age of tobacco sales would delay the "initiation" of smoking for those between 15 and 17 years old.

Raising the minimum legal age of buying tobacco to 21 will mean that "those who can legally obtain tobacco are less likely to be in the same social networks as high school students," the study concluded.

In addition the study concluded that raising the age would lead to 50,000 fewer deaths by lung cancer nationwide and 223,000 fewer premature deaths.

"We all know the health impact if people start smoking under 21," Singleterry said. "No one starts chain smoking at 35."

Singleterry, who said that residents are supportive of the ordinance, also discounted concerns that raising the age will have a major impact on overall sales at convenience stores.

"I don't believe that is going to be the case," he said.

Sal Risalvato, executive director of the NJ Gasoline, Convenience, Automotive Association, has already told the borough council his organization is "extremely opposed" to the ordinance.

Risalvato said the ordinance is "feel-good legislation" that will ultimately harm small-business owners.

"It's feel-good because it allows them (council members) to say they're doing something about smoking," he said.

While Risalvato said his organization is not in favor of smoking, he doubts raising the legal age for sales will reduce the number of young smokers

"Most people start smoking before they're 18," he said. "We're not going to accomplish what we set out to do."

Passage of the ordinance would force the young smokers to buy their cigarettes in neighboring towns, he said

Though stores have a small profit margin on cigarette sales, the ban's impact will be felt by the loss of sales of other items with higher profit margins, like coffee and doughnuts, that shoppers buy along with cigarettes.

"If you're not coming into my store to buy cigarettes, you're not buying my coffee," Risalvato. "If I'm a 20-year-old, I'm going to buy my cigarettes and coffee elsewhere."

Those losses mount for a small business operating on a thin profit, he said.

Risalvato also questioned the consequences for stores for selling a legal product.

Under the ordinance a store guilty of a first offense could face a \$500 fine and a possible 10-day suspension of its retail food establishment license.

A third offense would carry a minimum \$1,000 fine or a jail sentence of no more than 90 days.

Risalvato also posed a hypothetical question for a store clerk faced with a 20-year-old member of the military, home on leave and dressed in fatigues, who comes into the store to buy coffee and asks for a pack of cigarettes.

"What do you do?" he asked.

Though the State Senate passed a bill on June 30, 2014, raising the age of tobacco sales, the Assembly version of the bill is still in the Assembly Health and Senior Services Committee.

Singleterry is hopeful that if North Plainfield and other municipalities pass ordinances, the Assembly bill, will work its way out of committee and come to the floor for a vote. Central Jersey co-sponsors of the Assembly bill include Patrick Diegnan (D-District 18), Nancy Munoz (R-District 21) and Jack Ciattarelli (R-District 16).

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