

## **Rutherford raises nicotine-buying age to 21**

Tuesday, July 14, 2015, 6:41 AM

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RUTHERFORD — The Borough Council voted unanimously Monday night to raise the legal age to buy “nicotine-delivery” products, including tobacco and electronic cigarettes, to 21 from 19, becoming the ninth New Jersey municipality to pass such an ordinance.

At its meeting, the council voted to approve the ordinance, an act that reflects a growing wave of concern about younger Americans embracing e-cigarettes and hookahs, potentially raising their risk of getting cancer.

“My mother would have been 82 today,” Councilman Jack Manzo said. “She started smoking when she was a teenager. She’s not with us today because she started smoking as a teenager.”

Manzo also admonished a representative of a trade group at the meeting that is opposed to raising the smoking age.

“I think you have a lot of nerve to try to defend the tobacco industry,” the councilman told Eric Blomgren, associate director of government affairs for the New Jersey Gasoline, Convenience Store and Automotive Association. “You’re in the wrong room tonight.”

On Monday the Tenafly Borough Council introduced its own “21 ordinance” to raise the legal age for tobacco use.

The main advocate locally for the changing the age is Global Advisors on Smokefree Policy, a Summit-based non-profit known as GASP. Karen Blumenfeld, its executive director, lauded the fact that nine New Jersey municipalities have raised the age “and more are in process.”

In August, Englewood became the first Garden State municipality to ban the sale of tobacco products to those under 21, and it has since been joined by East Rutherford, Teaneck, Bogota, Garfield, Highland Park, Sayreville and Princeton.

Other towns in Bergen County are also ready to pass similar measures. Westwood is in the process of revamping its tobacco ordinance to raise the legal age to purchase tobacco and e-cigarette products to 21. And last week the Hillsdale Borough Council introduced an ordinance to raise the required age to buy tobacco to 19 from 18. In fact, the town’s old ordinance was outdated, and had already been superseded by a state law in 2006 that set the legal age at 19.

The Hillsdale council is also considering other changes regarding the sale of tobacco. There is a bill pending in the Legislature that would raise the legal age to buy tobacco products to 21 across the state. Council President Frank Pizzella said it might make sense for the borough to have its ordinance mandate

that it will conform to any statewide law. Hillsdale may also expand its proposed ordinance to cover the sale of e-cigarettes.

Several New Jersey municipalities have refused to change the legal age for tobacco sales, including Hackensack and North Plainfield. Blomgren told Rutherford officials that Paramus had opted not to pass an ordinance to raise the smoking age, instead taking the route of a resolution supporting the state putting the legal age at 21, he said.

“A 19- or 20-year-old adult who wants to buy a cigar or other tobacco product can easily drive to Clifton or Nutley or Secaucus or any one of the 556 municipalities that will continue to sell them that product,” Blomgren said.

Rutherford merchants who sell tobacco products will be hurt by raising the age to 21 because many customers not only buy cigarettes but also pick up other items when they come into a store, he said. A member of the trade group in Paramus analyzed his sales data for the last year, and calculated that if Paramus had passed its 21 ordinance, he would have lost about \$7,000 a year in profits, Blomgren said.

“So not enough to put him out of business, but enough to sting,” he said.

But Manzo wasn’t buying Blomgren’s arguments, and asked him whether he smoked. Blomgren answered no.

“I didn’t think so,” Manzo said, adding that he would raise the legal age to smoke to 90 if he could.

Councilwoman Stephanie McGowan said that she could appreciate Paramus’ position that raising the smoking age is a state decision, but added “there is something to be said about what is in the best interest for the residents of Rutherford.”

The movement to bar the sale of tobacco and nicotine-related products to those under 21 gained momentum because of the soaring popularity of e-cigarettes and hookahs among youth. That change has offset a continuing drop in cigarette smoking by teenagers, alarming public-health advocates.

The automotive group, which has 1,500 members, has been the biggest opponent of any change in the age for tobacco use, lobbying against any new restrictions on the sale of nicotine products at the local and state level. There is only one member of the group in Rutherford, an Exxon station on Route 17, Blomgren told the borough council.

The American Medical Association supports raising the legal age for the sale of tobacco to 21, and Hawaii recently passed such a law, according to GASP’s Blumenfeld.

Under Rutherford’s new ordinance, those who sell tobacco products to anyone under 21 face a minimum fine of \$250 for the first violation, \$500 for a second violation and \$1,000 for the third and each subsequent violation.

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