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**FOR IMMEDIATE RELEASE**

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**Outrage over Englewood Decision to Increase Age for Tobacco Purchase to 21**

*Measure will deny legal adults the freedom of consumer choice;  
Local government oversteps its bounds with "feel good" law.*

Sal Risalvato, Executive Director of the New Jersey Gasoline, Convenience, Automotive Association (NJGCA), released the following statement in reaction to the Englewood City Council's decision to raise the minimum age for the purchase of tobacco and "nicotine delivery" products -- cigarettes, cigars and e-cigarettes -- to 21 years old:

"Many people deplore the use of tobacco products. I am one of them. However, it is the right of every adult consumer to decide which products to indulge in, and which to abstain from. This ordinance removes that freedom of choice from legal adults, who are old enough to sign a contract, get married, or go to war, yet are apparently incapable of deciding whether to use tobacco products," Risalvato stated.

"Englewood City Council President Lynne Algrant is quoted as saying, 'The longer we can keep kids away from these products ... I think the better off everybody is,' and I agree wholeheartedly," Risalvato continued. "Children **should not** have access to tobacco products, however, that is **NOT** the demographic that this ordinance targets. We are talking about 19 and 20 year old adults, and Englewood is a small municipality of less than 5 square miles. While this ban imposes a slight burden on 19 and 20 year old tobacco purchasers, the small business owners will bear the brunt."

"Not only will small business owners lose business to their competitors in neighboring towns, literally right down the street just over the city limits, but the retailers are the only ones who would be penalized if the provisions of the ordinance are violated. The

ordinance proposes a fine of up to \$250 for the first offense and fines up to \$1,000, 90 days in jail, and suspension of their retail-food licenses for a third or any subsequent offenses committed in one year. Where are the penalties for the people who attempt to purchase cigarettes in violation of the city ordinance?" Risalvato asked.

One NJGCA member who owns a small business in Englewood had a similar reaction, saying, "This is horrible for businesses! The town is cutting down our profits by trying to tell **legal adults** what they can and cannot purchase! This won't reduce smoking; all it will do is encourage people to travel to the next town to buy their cigarettes. And for people who don't have access to transportation, they could end up walking across busy roadways and highways just to purchase a pack of cigarettes. It's just not safe!"

He added, "I am an active and informed business owner in Englewood and I didn't even know about this proposal until I read about it in the news this morning. I don't think the Council really considered the impact that this would have on the small business owners in the community. I hope that NJGCA continues to be successful in their fight against this proposal in the New Jersey State Legislature. We cannot allow elected officials to ban **legal adults** from purchasing **legal products**."

Risalvato angrily questioned, "How would you like to be a store owner working the sales register when a 20 year old in a military uniform attempts to buy a pack of cigarettes? Are you going to deny a person serving our nation from making that purchase? Do you honor the soldier, make the sale, and then risk a \$250 fine? Or worse, do you risk spending time in jail or losing your business? Does the governing body in Englewood really think that this "feel good" law will stop young people from smoking?"

"There is no question, young people should learn about the very real dangers that smoking imposes on one's health. Only through education and awareness can the use of tobacco be combated. Failing that, it won't matter if the legal age to purchase tobacco products is 21, 25, or 30 – grown men and women have a right to make choices without Trenton's interference. The people that this ordinance is trying to protect are lawful adults, who have a right to make any number of decisions for themselves, including the foolish choice to smoke. In the process, it must be acknowledged that small business owners will suffer as a result of this ordinance, and should not be burdened with guarding our youth from making foolish choices," Risalvato concluded.

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