

DIVISION OF ALCOHOL AND TOBACCO CONTROL

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INDUSTRY CIRCULAR

FEDERAL MINIMUM AGE OF SALE OF TOBACCO PRODUCTS RAISED FROM 18 TO 21 YEARS

According to the FDA website, “On December 20, 2019, the President signed legislation to amend the Federal Food, Drug, and Cosmetic Act, and raise the federal minimum age of sale of tobacco products from 18 to 21 years. It is now illegal for a retailer to sell any tobacco product – including cigarettes, cigars and e-cigarettes – to anyone under 21. FDA will provide additional details on this issue as they become available.” Any questions regarding the federal law should be directed to the FDA.

PLEASE NOTE, until such time that ATC receives clarifying guidance from our federal partners, ATC will continue to enforce the 18 year age restriction set by state law.

View the FDA’s notice here, <https://www.fda.gov/tobacco-products/retail-sales-tobacco-products/selling-tobacco-products-retail-stores>.

Contact for the FDA’s Center for Tobacco Products is as follows:

1-877-287-1373 (9am EST-4pm EST)
For General Inquiries: AskCTP@fda.hhs.gov

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Food and Drug Administration
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Silver Spring, MD 20993-0002

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Issued: December 27, 2019