

# Federal youth tobacco laws

By Charlie DeTar

## The Synar Amendment, the Law:

The 1992 Synar legislation was created to curb youth smoking and reduce access children had to tobacco products, nicotine/e-Liquids, and e-Liquid vaporizer devices.

This Act requires the States and Territories to adopt and enforce laws to reduce the sale of tobacco products, nicotine/e-Liquids, and e-Liquid vaporizer devices to minors. States and Territories that do not comply can lose up to 40% of their Federal Block Grant Funds for Substance Abuse Prevention and Treatment.

Federal Law, Public Health Act, Section 1921 and, more specifically, Section 1926 addresses the requirements. It states “the Secretary may make a grant under Section 1921 only if the state and territory involved has in effect a law providing that is unlawful for any manufacturer, retailer or distributor of tobacco products, nicotine or e-Liquids, and e-Liquid vaporizer devices to sell or distribute any such product to any individual under the age of 21. In essence, this law says that if states want to receive federal grant funds for the provision of addiction services, they must have and enforce a law which prohibits the sale of the aforementioned tobacco products to minors.

In addition, the 2009 Family Smoking Prevention and Tobacco Control Act eliminated advertising designed to target children, banned artificially sweetened cigarettes that may appeal to youths’ tastes, lowered the nicotine that’s allowed in tobacco products, and prohibited misleading labels like “light.”

The FDA now regulates all tobacco products, including: hookah, e-cigarettes, dissolvables, smokeless tobacco, cigarettes, all cigars, roll-your-own tobacco, pipe tobacco, and future tobacco products that meet the statutory definition of a tobacco product. It extends the FDA’s regulatory authority to all tobacco products, including e-cigarettes—which are also called electronic cigarettes or electronic nicotine delivery systems (ENDS)—all cigars (including premium ones), hookah (also called waterpipe tobacco), pipe tobacco, nicotine gels, and dissolvables that did not previously fall under the FDA’s authority. The new rule also restricts youth access to newly regulated tobacco products by not allowing products to be sold to those younger than 21, requiring age verification via photo ID, and not allowing tobacco products to be sold in vending machines (unless in an adult-only facility).