

## Get Healthy Philly Initiative: Tobacco Youth Sales Fines

Through the Get Healthy Philly Initiative, the Philadelphia Department of Public Health (PDPH) is considering a number of policy alternatives to help keep local Philadelphia stores from selling tobacco products to minors. The City must act in response to local year-round sales investigations which reveal that 20% of tobacco retailers in Philadelphia sell cigarettes illegally to youth. Although the State of Pennsylvania has a youth sales law,<sup>1</sup> the City currently enforces its own youth sales law<sup>2</sup> that includes much lower fines than the State recommends. A retailer who violates the City's youth sales law by selling tobacco to a person under 18 can avoid Municipal Court by paying \$100. On the other hand, a retailer violating the State's youth sales law for the third time in the State's jurisdiction can be fined an amount up to \$5,000, which is much higher than Philadelphia's local penalty. Increasing fine amounts will serve as a stronger deterrent to retail cigarette sales to youth.

### The Challenge

- ❖ Local year-round sales investigations reveal that 1 in 5 tobacco retailers in the City sell cigarettes illegally to youth.
- ❖ Over 1 in 3 youth between the ages of 10-17 can illegally buy tobacco products on their own, which is the highest rate among the six largest U.S. cities.<sup>5</sup>
- ❖ In recent years, illegal sales rates have been as high as 40% in certain parts of Philadelphia.

### The Action Plan

The City of Philadelphia aims to decrease the rate of illegal tobacco sales to youth by:

- ❖ Increasing the fine amount from \$100 per offense to \$250 per offense through City Council.
- ❖ Working closely with the City's Licenses & Inspections Department, Law Department, City Council, and the Mayor about changes to the City's youth sales law.
- ❖ Enforcing the new FDA guidelines requiring retailers to verify the identity of anyone under 27 years old.
- ❖ Pursue a local licensing statute.
- ❖ Defining what are valid forms of age identification that merchants can use.

<sup>1</sup> 18 Pa. C.S. § 6305, *et seq.*

<sup>2</sup> See Philadelphia Code § 9-622.

<sup>5</sup> Centers for Disease Control and Prevention. *Youth Risk Behavior Surveillance System Survey Data*. Atlanta, Georgia: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, 2007.