

Restrictions on Single Cigars and Cigar Package Size

Background

- Laws or regulations requiring cigars to be sold in packages of four or more and at an arbitrary minimum price have been adopted, or are being considered, by a number of local authorities and some state legislatures.
- Tobacco control interests claim that imposing such restrictions will reduce access by minors to tobacco products.

Arguments in Favor of Not Restricting the Sale of Cigars or Limiting Cigar Package

- Laws and regulations to ban the sale of cigars in packages of less than four and at a minimum price will not address the issue of minors accessing tobacco products. Retailers are responsible business people and are not in the business of selling cigars to underage buyers. It is already illegal to sell any tobacco products to minors.
- Claims that retailers are the source of tobacco products for minors is not supported by FDA compliance check data. Retail compliance with laws prohibiting the sale of tobacco products to minors is at an all time high, with the FDA reporting that approximately 95% of retailers pass compliance checks.
- Such laws and regulations appear to be more about banning the sale of numerous legal flavored cigar products than youth access to tobacco products. Prohibiting the sale of certain single cigars and cigars in packages of less than four will impose economic hardship on legitimate retailers without addressing the problem.
- A sales ban on targeted categories of cigars will lead to adult consumers finding other sources to buy their preferred tobacco products. In the case of local regulations, legal-aged tobacco consumers will simply travel to a nearby town for tobacco purchases. Retailers in the restricted communities will not only lose tobacco sales but will also lose the opportunity to sell other items such as fuel, snacks and groceries.
- Burdensome laws and regulations may also push adult tobacco consumer to buy their favorite tobacco products over the Internet, thus resulting in lost sales to retailers with fixed locations. Lost sales can lead to lost jobs and jeopardize the future of family-owned businesses.
- What is the basis for setting a minimum cigar package size at four and the minimum single cigar price at a high price level? How does either of these restrictions prevent smoking or impact access to tobacco products by minors? Banning the sale of certain categories of cigars with package size restrictions and minimum pricing is both discriminating and arbitrary.



Information Source: The National Association of Tobacco Outlets, Inc.