

# Tobacco Control Act: What Retailers Need to Know

*This podcast is presented by the Centers for Disease Control and Prevention, in partnership with the U.S. Food and Drug Administration. CDC – safer, healthier people.*

The retail community plays an important role in helping protect kids from tobacco. On June 22, 2009, President Obama signed into law the Family Smoking Prevention and Tobacco Control Act. The passage of the Tobacco Control Act began a new phase of federal tobacco regulation. The Food and Drug Administration is responsible for issuing and enforcing federal tobacco product regulations.

FDA wants to keep cigarettes and other tobacco products out of the hands of our kids. Retailers who sell tobacco products play a *key* role in breaking of the chain of tobacco addiction.

To follow the federal law, retailers must check IDs for everyone under age 27. Neither cigarettes nor smokeless tobacco products may be sold to anyone under the age of 18. Cigarettes and smokeless tobacco may be sold *only* in a direct, face-to-face exchange. This includes a ban on selling tobacco through vending machines, self-service displays, and other impersonal modes of sales, except in very limited situations, such as in qualified, adult-only facilities. Retailers may not break open cigarette or smokeless tobacco packages to sell products in smaller quantities, such as the sale of single cigarettes, sometimes called ‘loosies’. The distribution of free samples of cigarettes is prohibited. The distribution of free samples of smokeless tobacco products is not permitted, except in very limited situations as prescribed by law. Items with tobacco brands or logos, such as hats and t-shirts, may not be sold or distributed. And finally, retailers may not sell cigarettes with fruit or candy flavors.

In addition to these federal tobacco regulations, retailers are responsible for following state tobacco laws. Please check with your state tobacco control office for more information.

The FDA Center for Tobacco Products is developing a retailer education campaign to increase awareness of the federal tobacco regulations. FDA will be engaging retailers through the use of both traditional and non-traditional forms of outreach, such as podcasts, to provide the tools and information retailers need to carry out and comply with the new regulations. For more information on the FDA retailer education campaign, visit [www.fda.gov/breakthechain](http://www.fda.gov/breakthechain). If you’re a retailer and have any questions about the new regulations, please contact the FDA Center for Tobacco Products Call Center at 1-877-287-1373 or email us at [askctp@fda.hhs.gov](mailto:askctp@fda.hhs.gov).

There will be additional podcasts that provide details about the regulations. Subscribe to this series or check back often for updates.

Thank you for working with the FDA and your state to break the chain of tobacco addiction among America’s youth. Keep tobacco out of their hands. It’s the law and the right thing to do.

*For the most accurate health information, visit [www.cdc.gov](http://www.cdc.gov) or call 1-800-CDC-INFO, 24/7.*