

Do you sell tobacco products?

It's illegal to sell tobacco products to persons under the age of 21.

It is now a violation of federal law for any retailer to sell tobacco products to anyone under the age of 21.

Follow the law. Keep persons under the age of 21 safe.



244,000

kids now under 18 in Pennsylvania who will ultimately die prematurely from smoking.ⁱ



nearly 95%

of cigarette smokers try their first cigarette before age 21.ⁱⁱ



18.7%

of Pennsylvania high school students use tobacco or nicotine products.ⁱⁱⁱ



17.2%

of retail compliance checks resulted in a sale to minors in 2018.^{iv}

Tobacco products include, (but are not limited to):

Cigarettes, Hookah and pipe tobacco, E-cigarettes, E-cigars, Cigarette tobacco, Nicotine gels, Vape pens, Vaporizers, Smokeless tobacco, Dissolvables, E-hookahs, Electronic pipes, Cigars

Follow the law:

- Post your tobacco retailer license in view of customers
- Only sell tobacco products to persons age 21 and older
- Train employees to check the photo ID of every person who appears to be under age 30
- Restrict access to tobacco products by non-employees
- There are no exemptions – including for military personnel

It is illegal to:

- Sell tobacco to anyone under the age of 21
- Sell unpackaged single cigarettes
- Sell flavored cigarettes other than menthol
- Sell tobacco products in vending machines*
- Give away free samples of tobacco products, including any of their components or parts**
- Sell cigarettes or RYO product that is not listed for sale on Pennsylvania's Tobacco Product Directory

*Unless it is an establishment where only individuals over age 21 may enter

**Unless it is a qualified adult-only facility and in limited quantities as specified in the law

Pennsylvania Tobacco Retailer License Requirements

Retailers and wholesalers must obtain and must conspicuously display at their place of business a license from the Department of Revenue to sell tobacco products. Licenses are valid for one year and must be renewed annually.

Any person selling or distributing cigarettes without a license is subject to a fine of \$250 to \$1,000, costs of prosecution, and/or imprisonment for not more than 30 days.

Pennsylvania Tobacco Product Directory

The Pennsylvania Office of Attorney General maintains a list of cigarette and RYO product, by brand style, that has been certified and approved for sale in the Commonwealth. Please see the following link to ensure the cigarette and RYO products being sold are legal for sale: <https://www.attorneygeneral.gov/protect-yourself/tobacco-directory/tobacco-search/tobacco-search-results/>. If you would like to receive updates when cigarette and RYO brand styles are added to or removed from the Tobacco Product Directory, please send an email with your business name, address and email to the following address: tobacco@attorneygeneral.gov.

E-Liquid Manufacturers

Do you mix e-liquids, construct electronic smoking devices, or re-package or re-label these products? If so, you are a manufacturer under Federal law and must meet additional requirements.

To learn more about the rules as they apply to you, visit the United States Food and Drug Administration's (FDA), Center for Tobacco Products website:

<https://www.fda.gov/tobacco-products>



ⁱ Campaign for Tobacco Free Kids. The Toll of Tobacco in Pennsylvania. <https://www.tobaccofreekids.org/problem/toll-us/pennsylvania>.

ⁱⁱ Substance Abuse and Mental Health Services Administration. 2018 National Survey on Drug Use And Health: Detailed Tables. Substance Abuse and Mental Health Data Archive.

ⁱⁱⁱ American Lung Association. 2020 State of Tobacco Control. Pennsylvania.

^{iv} Pennsylvania State Enforcement Program Summary: SFY19.