

FREQUENTLY ASKED QUESTIONS

What is Tobacco 21?

Tobacco 21 is a commonly used name for a regulation (Regulation to Prohibit the Sale of Tobacco Products to Individuals Under 21 Years of Age) that was passed in Genesee County on February 14, 2017. This regulation increased the sales age to purchase tobacco products and any device, including e-cigarettes, that delivers nicotine from 18 years of age to 21 years of age.

When did this regulation become effective?

Tobacco 21 became effective on May 15, 2017. Informational packets were mailed out on May 1, 2017 that included an informational letter with compliance instructions, a quick reference pamphlet and several large and small signs that are required to be posted at all times in a location that is close to the point of sale and able to be seen by both employees and customers.

Who does Tobacco 21 affect?

Tobacco 21 affects every city, village and township in Genesee County.

Why is Tobacco 21 important?

Tobacco remains the single largest preventable cause of disease and premature death. Ninety-five percent (95%) of adults started using tobacco products before the age of twenty-one. A March 2015 report by the Institute of Medicine (IOM), one of the most prestigious scientific authorities in the United States, strongly concluded that raising the tobacco sale age to 21 will have a substantial positive impact on public health and save lives. Based on an exhaustive review of the literature and predictive modeling, the IOM finds that raising the tobacco sale age will significantly reduce the number of adolescents and young adults who start smoking; reduce smoking-caused deaths; and immediately improve the health of adolescents, young adults, and young mothers who would be deterred from smoking, as well as their children. Specifically, the report predicts that raising the minimum age for the sale of tobacco products to 21 will, over time, reduce the smoking rate by about 12 percent, and smoking-related deaths by 10 percent.

I have heard on the news that Tobacco 21 has been “suspended” or “put on hold”?

Tobacco 21 is in effect. It became effective on Monday, May 15, 2017. Tobacco 21 is currently being legally challenged. The Board of County Commissioners did not vote to rescind the regulation. However, all parties have agreed to delay the Genesee County Health Department's enforcement of the regulation, including routine compliance checks and issuing of citations for violations of the Tobacco 21 regulation until a judge has an opportunity to hear the matter. A hearing is currently scheduled in the Seventh Circuit Court. The date has recently changed from May 22, 2017 to June 19, 2017 however, court dates are subject to change. Enforcement will continue to be held in abeyance until the court rules on the pending request for relief.

What is enforcement and who enforces the regulation?

Enforcement is done by doing compliance checks which are a continuing occurrence even without Tobacco 21. These checks are done by a Genesee County Health Department (GCHD) employee who has been deputized by the Sheriff. When performing these compliance checks, the GCHD employee is checking to see if the retailer is following state law and county regulations and in the case of the Tobacco 21 regulation, correctly posting the mandated signage and whether the retailer is selling tobacco products to anyone under the age of 21.

Where can I find current/up-to-date information about Tobacco 21?

Please visit Genesee County Health Department's website for up to date information regarding Tobacco 21 or our Facebook page. Questions may be emailed to TOBACCO21@gchd.us or call 810-341-5898.