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Salem Board of Health OKs raising minimum tobacco age to 21

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--- — SALEM — The Board of Health narrowly approved raising the minimum age to buy tobacco products from 18 to 21 on Thursday, making this city the first in the region to do so.

"Our mission is to prevent, promote, protect," said board chairwoman Barbara Poremba before the vote. "Our opportunity today is to protect our most valuable asset, and that's the health of our youth."

"It is our opportunity to be a leader on the North Shore," she said, "...how Salem goes, the North Shore will follow."

The decision as to when the rule change will take effect will be made at a subsequent board meeting.

The board voted 3 to 2 in support of the measure, but not until after a sometimes contentious public comments period that played out before an audience of 15 or so people.

Of those who chose to speak, most were against the proposal.

"Do you honestly believe they won't go a mile or two to Lynn or Peabody or another town to buy cigarettes?" asked Sheldon Stone, co-owner of the Vapor Outlet, a local e-cigarette store.

"Is anybody going to stop using tobacco because they were inconvenienced and have to go to a different community?" asked Mike Allen, owner of the Red Lion Smoke Shop.

"I feel at 18 you can fight a war...so why not sell cigarettes to these people?" asked Marie Sweetland, a Highland Avenue resident.

Other voices against the measure included Rinus Oosthoek, director of the Salem Chamber of Commerce, and City Councilor Bill Legault.

Reasons for opposition ranged from the measure being bad for business to to it being an attack on personal freedom. One person emphasized that e-cigarettes can be helpful for people trying to quit smoking regular cigarettes, and so should be readily available; another worried that the board's regulations would extend to devices used to imbibe medical marijuana.

Only two members of the public spoke in support of raising the age, including a senior from a high school in Lexington and local City Councilor Thomas Furey, who at one point called tobacco a "gateway drug" to cocaine, marijuana and heroin, prompting two unidentified men to openly laugh.

Shortly thereafter, one of the men angrily interjected, saying the councilor had gone past the strict 3-minute time limit. Then there were several outbursts from the men over the course of the next several minutes, and Poremba repeatedly pounded her gavel to no avail. The men eventually left.

Next, the board heard from a number of advisers, including medical professionals, all of whom supported raising the

age. They argued that delaying the age at which young adults can buy tobacco reduces their chances of becoming regular smokers and makes it less likely that adolescents will be able to get tobacco products from them.

During the ensuing conversation among the board, members Paul Kirby, Danielle Ledoux and Shama Alam said they were uncomfortable raising the age.

"How do we know a minor is someone under 21?" asked Ledoux.

"I'm kind of...thinking in broader terms about what kind of decisions ought to be made by unelected people," said Kirby.

"I do still have some concerns about how effective adopting Tobacco 21 would be in Salem," said Alam, noting that many other communities with 18 as the age limit were close by. "I'm not convinced this will be effective."

Board member Gayle Sullivan sided with Poremba, saying she would even support taking tobacco off the shelves in Salem altogether, something that is well within the purview of the board.

"I'll go for that," she said. "We could have a smoke-free town."

Nearly three hours into the meeting, Poremba speculated that board members might need more time to study the issue. That idea was scrapped, however, when Sullivan pointed out that the board was obligated to vote that night.

When it came time for a vote, Ledoux reversed course, voting in favor of the measure but not before asking first if she could abstain.

Salem is now one of nearly 30 communities across the state that have boosted the tobacco age to match the legal drinking age. No others on the North Shore have done so; the nearest that have are Stoneham, Wakefield and Reading. Statewide, five other communities have raised the age to 19.

The rule affects not just cigarettes and cigars, but any "nicotine delivery product," including e-cigarettes. It will be enforced through the board's system of compliance checks, which imposes fines and suspensions of tobacco-sales permits for violations. The board can revoke a seller's permit after three violations.

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