

Lowell healthboard bans tobacco sales to those under 21

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LOWELL -- The Board of Health voted unanimously Wednesday to prohibit sales of tobacco products to anyone under 21, and to ban the sale of flavored tobacco products at any store that earns less than 90 percent of its sales from tobacco.

The new regulations take effect on Oct. 1, when Lowell will join Chelmsford, Tewksbury, Wilmington and more than 100 other Massachusetts communities in prohibiting the sale of tobacco to those under 21.

Sale of flavored tobacco products, which include e-cigarettes, cigars and chewing tobacco, will be allowed only at stores that earn 90 percent or more of their sales from tobacco products, and don't sell any products that require food permits.

The state Senate already passed a bill that would increase the smoking age to 21 statewide, and a similar bill is pending before the House, where it was endorsed by the Rules Committee on Wednesday. (Read that story at lowellsun.com.)

About a dozen people spoke in favor of the change and about a dozen people spoke in opposition before the board's unanimous vote.

Dr. Lester Hartman, a pediatrician, gave the board samples of tobacco products with flavors like cotton candy to illustrate how such products are marketed to children.

"People who start smoking as teens smoke more, become addicted more easily, and have a harder time quitting," said Diane Knight, of the Northeast Tobacco Free Partnership.

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Peggy Russo, a tobacco treatment specialist at Lahey Health, said she has seen more and more teenagers who would never consider smoking cigarettes trying electronic cigarettes.

William Chan, a 16-year-old Lowell High School student, said he is appalled that tobacco products are so cheap and easy to access for people his age.

Opposition came from several business owners, especially convenience store owners, who fear the new regulations will drive their customers to surrounding towns and New Hampshire. They warned that if that happens, those customers will also stop buying products like chips, soda, and other goods at their stores, since many people prefer one-stop shopping.

Several people, such as Alexandra Baldwin, and Robert Jardin, opposed the measure because e-cigarettes, which can provide adjustable levels of nicotine, helped them quit smoking.

Baldwin said she quit smoking at age 28 by using e-cigarettes, after trying other methods and strategies since she was 19.

"I tried hypnosis, the gym, Chantix, and everything I could possibly try," Baldwin said. "When I first tried an e-cigarette I never even had the desire to have another cigarette again."

Baldwin said she wishes e-cigarettes were available to help her quit when she was 19, and asked the board not

to deprive other youngsters of that opportunity.

Cesar Pungirum, the city's tobacco control director, later noted that despite the anecdotes about e-cigarettes, the devices have not been approved by U.S. Food and Drug Administration as a smoking-cessation tool.

The Coalition for Responsible Retailing had earlier sent the board a petition signed by 53 people urging the board to reject the measure restricting the sale of flavored tobacco products due to concerns it will cost local stores business.

Matthew LeLacheur, of Lowell, who is executive director of the New England Service Station Coalition, said he supports keeping tobacco out of the hands of teenagers, but believes that policing tobacco possession is a more effective way of achieving that.

LeLacheur warned the restrictions will hurt Lowell businesses.

That concern was echoed by John Wright, of Energy North Group, which owns Haffner's gas stations, among others, who said the restrictions have cost the company business in other towns, and forced the company to cut jobs in those locations.

"It does equal and equate to lost sales for us, and it does equal and equate to lost jobs," he said. Wright noted that the people who may lose their jobs currently work hard to make sure minors can't buy cigarettes.

Board members said they shared concerns about convenience stores losing business, but agreed that teenagers face a higher danger of developing addiction and noted that their job is to protect the health of Lowellians.

"I don't want to lose revenue coming into this city, but I do want to protect my child and other children in this city," said board member Craig Kelly.

"It's a little unfair (to city businesses), because people under 21 will just go to New Hampshire now. It's a disadvantage," opponent Robert Costigan, of Lowell, said after the vote. "Not that I want 18-year-olds to smoke, but they're going to do it anyway."

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