

What is the legal sale age for all tobacco products in the United States?

On December 20, 2019, the Federal Food, Drug and Cosmetic Act was amended to raise the federal minimum age for sale of tobacco products from 18 to 21. It is now illegal for a tobacco retailer to sell any tobacco product to anyone under 21. Nevada Law has also been updated to follow Tobacco 21 federal guidelines.

Why are these laws important?

Currently, the U.S. is facing a potential epidemic with youth tobacco use, particularly e-cigarette use. Increasing the minimum purchase age to 21 is a proven, effective strategy to reduce the number of youth who are using tobacco products. As a retailer, you play an important role in protecting youth and young adults by complying with the law and regulations.

The Federal and State Compliance:

- **Do not** sell cigarettes, cigarette paper, and product containing, made or derived from tobacco, any vapor product, and alternative nicotine product to any product containing, made or derived from nicotine to any person under the age of 21.
- **Perform** age verification through enhanced controls that utilize scanning technology or other automated, software-based systems prior to selling any product mentioned above to any person under the age of 40. **Compliance to this law is required to sell tobacco and related products in Nevada.**
- Do not sell tobacco products in a vending machine unless in an adult-only facility.
- Do not give away free samples of tobacco products to consumers, including any of their components and parts.
- Do not sell cigarette packages containing fewer than 20 cigarettes, including single cigarettes, known as “loosies.”
- Do not sell or distribute cigarette tobacco products without a warning statement on the package.
- Do not display advertisements for tobacco products without a warning statement.

What happens if I accidentally sell tobacco or a tobacco product to someone under 21?

Under Federal Law, selling tobacco products to an underage customer could result in monetary penalties for the retail merchant, which can exceed \$17,000. The State of Nevada can impose monetary penalties to either or both the retail merchant and the clerk who made the sale.

What does compliance mean for retailers in tribal jurisdictions, or states where the minimum legal sales age for tobacco products is still 18?

To comply with the Federal Law, tobacco retail merchants in all 50 states, all U.S. territories, and U.S. Tribal Jurisdictions cannot sell tobacco products to anyone under the age of 21.

What training and resources are available for tobacco retailers in Nevada?

The State of Nevada has a FREE online tobacco retailer training and certification program available at ResponsibleTobaccoNV.com. Here you will find tools and resources to ensure proper training of tobacco retail management and staff. Training modules are provided with content including federal and state laws, how to properly check IDs, Nevada tobacco use statistics, and more. The site also provides several online and printable resources, including store signage.

