



**RESOLUTION REQUESTING THAT THE NORTH CAROLINA GENERAL ASSEMBLY RESCIND PREEMPTION OF TOBACCO REGULATION, INCLUDING ELECTRONIC CIGARETTES, AND THEREFORE RESTORE LOCAL CONTROL OVER TOBACCO POLICIES**

**WHEREAS**, the health consequences of smoking are staggering, and there is irrefutable evidence that tobacco use causes cancer, respiratory and cardiac diseases, infertility, negative birth outcomes, irritations to the eyes, nose and throat (U.S. Department of Health and Human Services, 2014); and

**WHEREAS**, the economic losses in health care expenditures are equally important and the use of tobacco products cost the U.S. as much as \$170 billion in health care expenditures each year (Xu, Bishop, Kennedy, Simpson, & Pechacek, 2014); and

**WHEREAS**, nearly 90% of all smokers begin smoking before the age of eighteen (Centers for Disease Control and Prevention, 2014); and

**WHEREAS**, in North Carolina, 1 in every 10 middle school students is a current tobacco user and 3 in every 10 high school students is a current tobacco user; and

**WHEREAS**, in North Carolina, 8,676 middle school students currently smoke cigarettes; and 55,688 high school students currently smoke cigarettes; (North Carolina Tobacco Prevention and Control Branch); and

**WHEREAS**, there is supportive evidence that increasing the minimum legal age of purchase to 21 will save more lives, reduce initiation among adolescents and young adults, and immediately improve the health of adolescents, young adults and young mothers who would be deterred from smoking, as well as their children (Institute of Medicine, 2015); and

**WHEREAS**, we believe in the need to educate and empower youth about the harmful effects of tobacco use and prohibit these incidences of purchase until the conscious age of 21 years; and

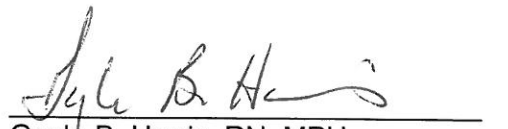
**WHEREAS**, penalties included in G.S 14-313 Youth access to tobacco products, tobacco-derived products, vapor products, and cigarette wrapping papers would remain the same; and

**WHEREAS**, in recognition of the damaging effects of preemption and the importance of community tobacco control policies, both the Healthy People 2010 and the Healthy People 2020 objectives, which are developed by the Department of Health and Human Services to set the national public health agenda for each decade, include an objective calling for the elimination of all state laws that preempt local tobacco control policies (U.S. Department of Health and Human Services, 2013).

**THEREFORE BE IT RESOLVED**, the Durham County Board of Health requests that the North Carolina General Assembly restore local control over tobacco policies by rescinding preemption; therefore, granting Durham County the legal authority to protect residents from known public health threats by enacting innovative, evidence-based policies such as an increase in the minimum sale age of tobacco products from 18 to 21. The lifting of preemption reinstates local capacity to develop public policy and revitalizes community debate, education and empowerment.

**FURTHER BE IT RESOLVED**, that we also call on other Boards of Health to request the restoration of local control over tobacco policies so as to better help prevent youth initiation.

  
James Miller, DVM, Chair  
Durham County Board of Health

  
Gayle B. Harris, RN, MPH  
Durham County Public Health Director

## References

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