

Additional FDA Requirements of Retailers

Congress gave FDA authority to regulate tobacco.

The FDA indicates it will hold retailers responsible for other requirements of the law—beyond the “carding” requirement of tobacco customers under 27 year old, the prevention of sales to minors and other requirements related to customer/employee transactions at the retail counter. These additional requirements require that retailers:

- Remove any promotional items in the retail environment that violate the regulations, such as self-service displays and certain advertising and labeling.
- Not sell cigarettes with fruit or candy characterizing flavors.

The new requirements also:

- Prohibit free samples of cigarettes and limits distribution of smokeless tobacco products.
- Prohibit tobacco brand name sponsorship of any athletic, musical, or other social or cultural event, or any team or entry in those events.
- Prohibit gifts or other items in exchange for buying cigarettes or smokeless tobacco products.
- Require that audio ads use only words with no music or sound effects.
- Prohibits the sale or give away of items, such as hats, t-shirts, or lighters, with cigarette and smokeless tobacco brands or logos.

For information, visit www.fda.gov.

