

SOUTH DAKOTA STATE MEDICAL ASSOCIATION  
POLICY

Subject: The Regulation and Sale of Tobacco Products

Document Number: PS-132-0

Attachment(s):

Effective Date: November 4, 2016

Revision Date(s):

POLICY STATEMENT

The South Dakota State Medical Association (SDSMA) believes: 1) that all tobacco products including but not limited to cigarettes, smokeless tobacco, chewing tobacco, and hookah/water pipe tobacco, are harmful to health, and that there is no such thing as a safe cigarette; 2) that tobacco is a raw form of the drug nicotine and that tobacco products are delivery devices for an addictive substance; and 3) that the Food and Drug Administration (FDA) does have, and should continue to have, authority to regulate tobacco products, including their manufacture, sale, distribution, and marketing.

The SDSMA further believes that efforts designed to reduce use of tobacco by children and adolescents is sound public health policy and therefore would oppose any state or federal legislative proposal that would weaken current FDA regulations.

Our SDSMA: 1) encourages the passage of laws, ordinances and regulations that would set the minimum age for purchasing tobacco products, including electronic nicotine delivery systems (ENDS) and e-cigarettes, at 21 years, and urges strict enforcement of laws prohibiting the sale of tobacco products to minors; 2) supports the development and enforcement of laws restricting children's access to tobacco, including but not limited to attention to the following issues: a) provision for licensure to sell tobacco and for the revocation thereof; b) appropriate civil or criminal penalties (e.g., fines, prison terms, license revocation) to deter violation of laws restricting children's access to and possession of tobacco; c) requirements for merchants to post notices warning minors against attempting to purchase tobacco and to obtain proof of age for would-be purchasers; d) measures to facilitate enforcement; e) banning out-of-package cigarette sales ("loosies"); and (f) requiring tobacco purchasers and vendors to be of legal smoking age; 3) requests our state to adequately fund the enforcement of the laws related to tobacco sales to minors; 4) opposes the use of vending machines to distribute tobacco products; and 5) opposes the distribution of free tobacco products by any means

AUTHORITY

South Dakota State Medical Association Council of Physicians, 11/4/2016.