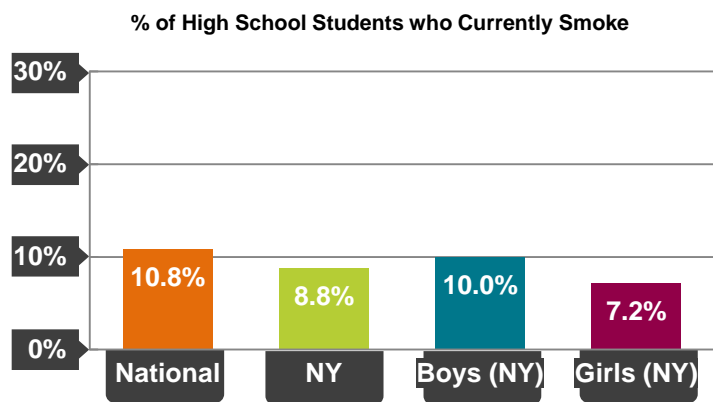
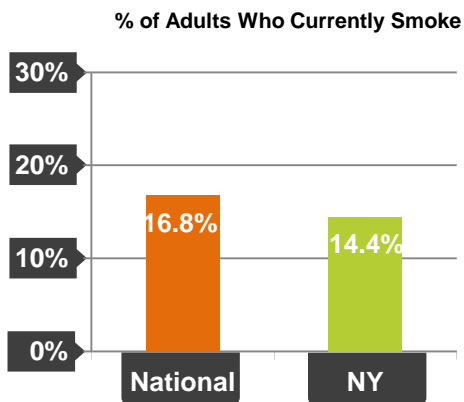


TOBACCO IN NEW YORK

CIGARETTE USE^{*1-2}



OTHER TOBACCO PRODUCT USE

- The prevalence of smokeless tobacco use among adults in New York was 2.2% in 2013. 5.3% of adult current cigarette smokers in New York were also current smokeless tobacco users in 2013.³
- In 2015, 6.7% of high school students in New York used chewing tobacco, snuff or dip on at least one day in the past 30 days. Nationally, 7.3% of highschool students used smokeless tobacco in at least one day in the past 30 days.²
- In 2015, 10.2% of high school students in New York smoked cigars, cigarillos, or little cigars on at least one day in the past 30 days. Nationally, 10.3% of high school students smoke cigars, cigarillos, or little cigars at least one day in the past 30 days.²
- In 2015, 21.7% of high school students in New York used electronic vapor products on at least one day in the past 30 days. Nationally, 24.1% of high school students used electronic vapor products on at least one day in the past 30 days.²

ECONOMICS OF TOBACCO USE AND TOBACCO CONTROL

- In FY2016, New York allocated \$39.3 million in state funds to tobacco prevention, which is 19.4% of the Centers for Disease Control and Prevention's (CDC) Annual Spending Target.⁴
- New York received an estimated \$2.683 billion in tobacco settlement payments and taxes in FY2016.⁴
- The health care costs in New York, directly caused by smoking, amount to \$10.39 billion annually.⁴

* National and state-level prevalence numbers reflect the most recent data available. This may differ across state fact sheets.

- New York loses \$7.33 billion in productivity each year due to smoking.⁵

STATE TOBACCO LAWS⁶⁻⁷

EXCISE TAX

- New York has the highest cigarette tax in the country. The state tax increased to \$4.35 per pack of cigarettes in July 2010. Little cigars are taxed \$0.2175 per cigar and suff is taxed \$2.00 per ounce. All other tobacco products are taxed 75% of wholesale price.

CLEAN INDOOR AIR ORDINANCES

- Smoking is prohibited in all childcare facilities, government workplaces, health care facilities, schools, private workplaces, recreational facilities and retail stores.
- Smoking is prohibited in bars, with the exception of cigar bars, and allows for an economic hardship waiver.

YOUTH ACCESS LAWS

- The minimum age requirement for the purchase of tobacco products is 18.
- Establishments are required to post signs stating that sales to minors are prohibited and will be penalized.
- In stores where admission is not restricted to individuals 18 and older, tobacco products for sale must be store behind the counter or in a locked container.

ELECTRONIC CIGARETTES

- The sale to minors of electronic cigarettes is prohibited and other state tobacco sales laws apply to electronic cigarettes.

LOCAL TOBACCO LAWS

- New York City:
 - Prohibits the sale of flavored tobacco products, except electronic cigarettes, with a characterizing flavor other than menthol, mint, or wintergreen, except in certain “tobacco bars.”⁸
 - Prohibits the sale of tobacco products to persons under the age of 21.⁸
 - Prohibits the use of all tobacco products at all ticketed sporting events.⁸
 - Amended its tobacco retailer licensing ordinance in 2013 to include restrictions on the availability of cheap tobacco products, through new provisions like prohibiting coupons and setting a price floor for cigarettes and little cigars for less than \$10.50 per 20-pack.⁸
- Albany County prohibits the sale of tobacco products to persons under the age of 21.⁹

CESSATION STATISTICS AND BENEFITS

- The CDC estimates that 53.5% of adult smokers in New York tried to quit smoking for one or more days in 2014.¹⁰
- New York’s Medicaid program covers NRT Gum, NRT Patch, and individual and group counseling. Coverage of NRT Nasal Spray, NRT Inhaler, NRT Lozenge, Varenicline (Chantix), and Bupropion (Zyban) varies by health plan.^{7†}

† The seven recommended cessation medications are NRT Gum, NRT Patch, NRT Nasal Spray, NRT Inhaler, NRT Lozenge, Varenicline (Chantix), and Bupropion (Zyban).
Fiore MC, et al. Treating Tobacco Use and Dependence: 2008 Update. Clinical Practice Guideline. Rockville, MD: US Department of Health and Human Services. Public Health Service: May 2008.

- The state's Medicaid program's barriers to coverage include an annual limit on quit attempts and duration limits. In addition some plans require prior authorization and copayments.⁷
- New York's state quitline invests \$2.52 per smoker; the national average investment per smoker is \$3.37.⁷
- The Insurance commissioner issued guidance instructing most insurance plans to be in compliance with ACA guidance on tobacco cessation as a preventative service.⁷

REFERENCES

¹ CDC, Behavioral Risk Factor Surveillance System, 2014

² CDC, Youth Risk Behavior Surveillance System, 2015

³ CDC, State-Specific Prevalence of Cigarette Smoking and Smokeless Tobacco Use Among Adults—MMWR, United States, 2011-2013

⁴ Campaign for Tobacco-Free Kids, *Broken Promises to Our Children: a State-by-State Look at the 1998 State Tobacco Settlement 17 Years Later* FY2016, 2016

⁵ Campaign for Tobacco-Free Kids, State Tobacco Related Costs and Revenues, 2014

⁶ American Lung Association, SLATI State Reports, 2015

⁷ American Lung Association, State of Tobacco Control, 2016

⁸ New York City Department of Health and Mental Hygiene. Smoking Legislation. Available at:

<https://www1.nyc.gov/site/doh/business/food-operators/smoking-legislation.page>

⁹ A local law of the County of Albany, New York prohibiting the sale of cigarettes, tobacco products, liquid nicotine or electronic cigarettes to minors and young adults. Available at:

http://www.albanycounty.com/Libraries/County_Legislature/2016-LL_Cp.sflb.ashx

¹⁰ CDC, Behavioral Risk Factor Surveillance System, State Tobacco Activities Tracking and Evaluation System, 2014