AN ACT to amend the public health law and the tax law, in relation to amending certain definitions relating to tobacco products; and to amend the public health law and the tax law, in relation to changing the minimum pack sizes for tobacco products and the tax amount for tobacco products

The New York State Association of County Health Officials (NYSACHO) supports the above-referenced legislation, which would strengthen definitions of tobacco products and ensure parity and compliance of state tobacco product tax laws for all tobacco products.

Taxation of tobacco products is a proven public health intervention for reducing the use of tobacco products. When there are disparities in tax rates for tobacco products, national data indicates that sales and use of the lower taxed products increases. A 2012 GAO report showed that gaps in federal tax rates for various non-cigarette tobacco products could facilitate and encourage manufacturers to engineer products so that they can fall into lower tax categories. This legislation would ensure that New York State defines tobacco products so that all are appropriately subject to state tax laws.

According to the Centers for Disease Control and Prevention, several social and behavioral factors influence adolescent use of tobacco products, including:

- Mass media portrayal of tobacco product use as a normal activity.
- Seeing others in the peer group using these products.
- Use of smokeless tobacco by high school athletes, which is higher than those of the same age peers who are non-athletes.
- Parent use of these products.

This legislation will discourage use of all tobacco products, particularly among adolescents and children who are sensitive to price increases. It will bring in additional revenue to support tobacco control efforts, and reduce future health care costs for tobacco-related illnesses.

NYSACHO supports this legislation as beneficial and necessary to protect the public’s health and recommends that this legislation be enacted into law.

NYSACHO contact: Sarah Ravenhall, Executive Director, sarah@nysacho.org