



YOUTH PURCHASE, USE, OR POSSESSION (PUP) LAWS ARE NOT EFFECTIVE TOBACCO PREVENTION

Youth purchase, use, or possession (PUP) laws are not an effective approach to reducing youth tobacco use and inappropriately shift the blame for underage tobacco use away from the tobacco industry and retailers to young people. Youth access laws that are rigorously enforced at the retail level through comprehensive tobacco retail licensing laws are effective at reducing youth access.

PUP Laws Are Not Proven to Reduce Youth Tobacco Use

- There is very limited research evaluating the impact of PUP laws. A review concluded that, “There is hardly any evidence of the effectiveness of PUP laws on youth smoking behavior.”¹
- Many youth smokers are addicted, making it difficult for them to quit, and some research suggests that penalizing youth could deter them from seeking support for quitting. Further, instead of deterring youth tobacco use, PUP laws may lead youth to seek strategies to avoid detection.²

Youth Access Laws Should Target Retailers—Not Youth—to Effectively Restrict Sales to Minors

- PUP laws are more difficult to systematically enforce than sanctions against retailers. It is easier and more effective to conduct compliance checks for retailers, who are fewer in number compared to youth and whose locations are both known and constant.³ Further, the ease of discretely possessing and using some tobacco products—particularly new products like e-cigarettes and nicotine pouches—makes PUP laws more challenging to enforce than laws restricting sales to minors.
- Youth access laws successfully reduce youth tobacco use when they are well enforced *at the retail level* to ensure a high rate of compliance.⁴ Rigorous enforcement of restrictions against sales to minors is critical to minimizing the accessibility of tobacco products and, ultimately, reducing youth tobacco use. The most successful youth access programs are enforced through comprehensive tobacco retail license laws, which should include routine compliance checks and escalating fines as well as mandatory license suspension and revocation for retailers who repeatedly violate the law.

PUP Laws Inappropriately Shift the Blame Away from the Tobacco Industry and Retailers

- PUP laws unfairly punish and stigmatize youth, many of whom became addicted at a young age because of the tobacco industry’s aggressive marketing to kids. In this way, PUP laws shift the blame away from the industry’s irresponsible marketing that targets kids and minimize the responsibility of the retailer.
- Penalizing youth can divert enforcement officials’ attention from stopping retailers from illegally selling tobacco to kids in the first place.

PUP Laws Divert Resources from Proven Effective Tobacco Control Strategies

- Tobacco companies and their allies have a history of supporting PUP laws to divert attention from laws that would produce greater declines in youth tobacco use.
- Other tobacco control strategies proven effective to reduce youth access and tobacco use include comprehensive and rigorously enforced tobacco retail license laws, tobacco taxes, and flavored tobacco restrictions.

Campaign for Tobacco-Free Kids, February 4, 2026 / Laura Bach

¹ Etter, J. F. (2006). Laws prohibiting the sale of tobacco to minors: impact and adverse consequences. *American journal of preventive medicine*, 31(1), 47-51.

² Hrywna, M, et al., "Content Analysis and Key Informant Interviews to Examine Community Response to the Purchase, Possession, and/or Use of Tobacco by Minors," *J Comm Health*, 29(3):209-216, 2004; Wakefield, M, and Giovino, G, "Teen penalties for tobacco possession, use, and purchase: evidence and issues," *Tobacco Control*, 12(Suppl 1):i6-i13, 2003; Loukas, A, et al., "Examining the Perspectives of Texas Minors Cited for Possession of Tobacco," *Health Promotion Practice*, 7(2):197-205, 2006.

³ Wakefield, M, and Giovino, G, "Teen penalties for tobacco possession, use, and purchase: evidence and issues," *Tobacco Control*, 12(Suppl 1):i6-i13, 2003.

⁴ DiFranza, JR, "Which interventions against the sale of tobacco to minors can be expected to reduce smoking?" *Tobacco Control*, doi:10.1136/tobaccocontrol-2011-050145, published online first October 12, 2011.