

Center for a Tobacco-Free Finger Lakes

ADOLESCENT TOBACCO USE PREVENTION ACT (ATUPA)

RAISING THE ELIGIBLE AGE OF PURCHASE

21+

Restricts the Sale of Tobacco in New York State to individuals 21 and older

RETAIL STORAGE REQUIREMENTS



Retailers must store these products in a locked container or behind the counter in an area accessible only to store employees

PHARMACIES



Pharmacies may not sell tobacco products, nicotine vapor products, nor herbal cigarettes

RETAIL FLAVOR RESTRICTIONS



Retailers in New York State may not sell flavored nicotine vapor products, other than tobacco flavor, if the product has not received FDA sales authorization

LEARN MORE AT [HTTPS://TOBACCPOLICYCENTER.ORG/TOBACCO-CONTROL/LAWS-OF-NEW-YORK/ADOLESCENT-TOBACCO-USE-PREVENTION-ACT/](https://TOBACCPOLICYCENTER.ORG/TOBACCO-CONTROL/LAWS-OF-NEW-YORK/ADOLESCENT-TOBACCO-USE-PREVENTION-ACT/)



RETAIL DISPLAY RESTRICTIONS



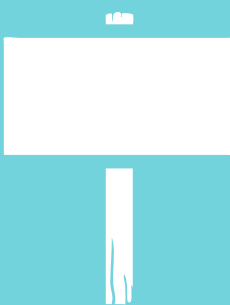
Retailers located within 1,500 feet of a school may not display tobacco products, e-cigarettes, smoking paraphernalia, or advertising for these products so that it is visible from outside of the store. (This includes anything outside the store)

ID REQUIREMENTS



Only customers who provide a valid ID that shows they are at least 21 may purchase regulated products. This is not required for those that appear to be at least 25. However if they are under 21 this exception is not a defense. Using a Scanner provides the best defense.

SIGN REQUIREMENTS



Tobacco Retailers must post a sign in a "conspicuous place with the statement. (shown to the right) There are similar signs required for bidis and gutka.



SHIPPING RESTRICTIONS



The shipping of cigarettes or nicotine vapor products into or within New York State (except when shipping to licensed dealers, export warehouses, or government officials. They must be clearly marked. It is also a class A misdemeanor which will upgrade to Class E felony for individuals to transport more than four cartons or 500mL nicotine liquid

PENALTIES FOR VIOLATIONS



1st time violations are punishable with a fine of \$300-\$1500, subsequent fines are \$1000-\$2500. Those selling with a suspended license will be fined \$2500. A point system has been implemented three points lead to a one year suspension and points remain on for three years. If violations occur during suspension license will be permanently revoked.

