

Newly Signed Legislation Raises Federal Minimum Age of Sale of Tobacco Products to 21

On Dec. 20, 2019, the President signed legislation amending the Federal Food, Drug, and Cosmetic Act, and raising the federal minimum age of sale of tobacco products from 18 to 21 years. It is now illegal for a retailer to sell any tobacco product—including cigarettes, cigars and e-cigarettes—to anyone under 21.

Effective immediately, retailers must not sell tobacco products to anyone under the age of 21. FDA recognizes that both the agency and some retailers will need to update current practices to implement this new law as FDA will need time to do outreach and education to retailers and update the Agency's programmatic work to reflect this change in law. During this period of transition, the FDA expects retailers to follow the law and take measures to ensure an individual purchasing a tobacco product is 21 or older, including manually checking IDs when needed. However, during this ramp-up period, FDA will continue to only use minors under the age of 18 in its compliance check program.

FDA has free resources available to assist retailers in calculating the age of customers. Retailers who use FDA's This is Our Watch digital age verification calendar may update the minimum purchase age on the calendar to 21 years. Instructions on how to update the age on the digital calendar are [available on FDA's website](#). Retailers who would like a This is Our Watch digital age verification calendar may order one free of charge from [FDA's Center for Tobacco Products Exchange Lab](#). Additionally, retailers who use FDA's Age Calculator app should update the age limit to 21 years through the app settings. Instructions are provided within the help feature of the app.

FDA's enforcement of the federal minimum age of purchase for tobacco products is ongoing. To date, the agency has conducted more than 1 million compliance checks of tobacco retailers.

FDA will be updating our website and other materials, including our regulations, in the near future to reflect the change in law.

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