



BOARD OF HEALTH

525 CANTON AVENUE

MILTON, MASSACHUSETTS 02186

(617) 898-4886 (617) 696-5172 FAX

www.townofmilton.org



Public Health
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TO: Milton Board of Health

FROM: Caroline A. Kinsella
Health Director/Public Health Nurse

DATE: April 8, 2015

RE: Expanding Tobacco Regulations

The Milton Board of Health voted to approve expanded tobacco regulations at the November 17, 2014 board meeting. These regulation were initially to go into effect on February 1, 2015 then were revised to go into effect on April 30, 2015.

The regulations were expanded to include:

1. Expand regulations to include nicotine delivery products.
Milton-Tobacco Product: Cigarettes, cigars, chewing tobacco, pipe tobacco, bidis, snuff or tobacco in any of its forms.
Milton-“Smoking” or “smoke” the lighting of a cigar, cigarette, pipe or other tobacco product or possessing a lighted cigar, cigarette, pipe or other tobacco or non-tobacco product designed to be combusted or inhaled.

Add: vaporized.

Add: (Needham)definition: Nicotine Delivery Product: Any manufactured article or product made wholly or in part of a tobacco substitute or containing nicotine that is expected or intended for human consumption, but not including a product approved by the United States Food and Drug Administration for sale as a tobacco use cessation or harm reduction product or for other medical purposes and which is being marketed and sold solely for that approved purpose. Nicotine delivery products include, but are not limited to, e-cigarettes.

2. Include cessation sign requirement

Milton-Does not currently have a cessation sign requirement. Cessation information is on the website.

Add: Post cessation information signs where cigarettes are sold

3. Include sign requirements for nicotine delivery products

Milton –All affected areas must contain suitable signage indicating “No Smoking”

4. No permit renewal if outstanding fines exist

Milton states this

5. Cap and or reduce the number of permits



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Milton does not have a cap in place.
Presently 9 permits.

6. Include minimum cigar package size/price

Milton has no language.

Add: (Needham)- No retailer, retail establishment, or other individual or entity shall sell or distribute or cause to be sold or distributed a cigar unless the cigar is contained in an original package of at least four (4) cigars. This Section shall not apply to (a) the sale or distribution of any cigar having a retail price of two dollars and fifty cents (\$2.50) or more; (b) a person or entity engaged in the business of selling or distributing cigars for commercial purposes to another person or entity engaged in the business of selling or distributing cigars for commercial purposes with the intent to sell or distribute outside the boundaries of the Town of Milton.

7. Ban Blunt Wraps

Milton already does

8. Ban redemption coupons

Milton Free Distribution: No person shall distribute, or cause to be distributed any free samples of tobacco products.

Add: (Needham) Free Distribution and Coupon Redemption

No person shall distribute, or cause to be distributed, any free samples of tobacco products or Nicotine Delivery Products. By no means, instruments or devices that allow for the redemption of all tobacco products or nicotine delivery products for free or cigarettes at a price below the minimum retail price determined by the Massachusetts Department of Revenue shall be accepted by any permit holder.

9. Ban self-service displays

Milton bans already

10. Ban vending machines

Milton bans vending machines

11. Ban non-residential RYO machines

Milton has no language

Add: (Needham) Non-Residential Roll-Your-Own (RYO) Machine: A mechanical device made available for use (including to an individual who produces cigars, cigarettes, smokeless tobacco, pipe tobacco, or roll-your-own tobacco solely for the individual's own personal consumption or use) that is capable of making cigarettes, cigars or other tobacco products. RYO machines located in private



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- homes used (solely for) personal consumption are not Non-Residential RYO machines.
12. Ban tobacco sales in educational settings
Milton does this already.
 13. Ban tobacco sales in health care institutions
Milton does not specify just say workplace
Add: Hospice
Add: (Needham) definition: Health Care Facility: any office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological or psychological conditions including, but not limited to, rehabilitation hospitals, or other clinics, weight control clinics, nursing homes, homes for the aging or chronically ill, laboratories, offices of any surgeon, chiropractor, physical therapist, physician, dentist, pharmacies, drug stores, any entity subject to licensing by the Massachusetts Department of Public Health under M.G.L. c 112 and all specialists within these professions.
 14. Fining Structure mirrors state law
Milton has lesser fines than Boston.
BOH said do not change
 15. Tolling periods for violations
Milton -24 months
Boston-24 months
 16. Shall vs. May Language for Suspensions
Milton-may
Boston-may
BOH said do not change, for flexibility.
 17. Change age to 21 to purchase Tobacco
Milton-18
Boston-Youth
Add: No Retail Sale of Tobacco Products to any person under the age of 21.
 18. **Add: (Brookline) Sale of flavored tobacco or nicotine delivery products prohibited no retailer, or other individual or entity shall sell or distribute or cause to be sold or distributed or offer for sale any flavored tobacco or nicotine delivery product to a consumer.**
 19. **Menthol exemption. Menthol includes variations in mint. Menthol includes wintergreen and cool mint.**
 20. **This provision shall not apply to a retail store that exclusively sells nicotine, tobacco or nicotine containing products or retail nicotine delivery product store.**
2015 Expanded Tobacco Regulations/mb/tobacco



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