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Massachusetts town weighs nation's 1st tobacco ban

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WESTMINSTER, Mass. (AP) - The cartons of Marlboros, cans of Skoal and packs of Swisher Sweets are hard to miss stacked near the entrance of Vincent's Country Store, but maybe not for much longer: All tobacco products could become contraband if local health officials get their way.

This sleepy central Massachusetts town of 7,700 has become an improbable battleground in America's tobacco wars. On Wednesday, the Board of Health will hear public comment on a proposed regulation that could make Westminster the first municipality in the United States to ban sales of all tobacco products within town lines.

"To my knowledge, it would be the first in the nation to enact a total ban," said Thomas Carr, director of national policy at the American Lung Association. "We commend the town for doing it."

Town health agent Elizabeth Swedberg said a ban seemed like a sensible solution to a vexing problem.

"The tobacco companies are really promoting products to hook young people," she said, pointing to 69-cent

bubblegum-flavored cigars, electronic cigarettes and a new form of dissolvable smokeless tobacco that resembles Tic Tac candies. "The board was getting frustrated trying to keep up with this."

Citing a report from the U.S. surgeon general, Swedberg said that if tobacco use continues unabated, 5.6 million American children who are younger than 18 today will die prematurely because of smoking. Change, she said, "has to start somewhere."

Brian Vincent would rather it not start with his family-owned grocery on Main Street. Tobacco products, he said, make up more than 5 percent of sales.

A quarter of his customers purchase tobacco, Vincent said, and while they're there, they often pick up a gallon of milk or one of the fresh-baked maple-candied bacon chocolate chip cookies that are displayed by the check-out aisle.

"It's going to send business five minutes this way or five minutes that way - no one's going to quit," said Vincent, who admits to enjoying a cigar himself now and then.

Encouraged by the New England Convenience Store Association, Vincent has been asking customers to sign a petition against the proposal. He has gathered more than 800 signatures so far, and other merchants are on track to deliver hundreds more to town officials this week.

David Sutton, a spokesman for Richmond, Virginia-based Altria Group Inc., owner of the nation's biggest cigarette maker, Philip Morris USA, called the proposal a "bad policy" that will harm local employers.

"We believe businesses should be able to choose which products they carry," Sutton said. "If the ban were to be implemented, adult tobacco and e-vapor consumers could shift their purchases to neighboring stores. The proposed regulations, if enacted, would fundamentally alter these businesses and would likely cost Westminster jobs."

So many people have called Town Hall about the proposal, the Board of Health - whose meetings about septic system updates and mosquito control rarely attract an audience - will hold Wednesday's public hearing in an elementary school cafeteria rather than in its usual second-floor conference room.

Colleen Conner, who pops into Vincent's nearly every day to pick up a pack of American Spirits, is among those who signed the petition. Should the measure pass, she said, she'll drive 25 miles north to New Hampshire and buy her cigarettes there in bulk.

"When you're a smoker, you'll quit when you're ready, not because someone told you to," she said. "I think it's going to hurt the store - and I love the store."

Swedberg, the town health agent, said the Board of Health hopes that if it enacts the regulation, loyal customers will support local businesses by buying more nontobacco products. And she thinks stores could see another benefit: "For people who are trying to quit, it could be a better place for them to shop, because they wouldn't be confronted with tobacco."

Board members are keeping an open mind and will take public comment into account, Swedberg said. But she remains supportive of the ban and hopes more communities

across the country will follow Westminster's example.

It's an admirable goal, said Westminster resident Claudia Kulik, who turned to a hypnotist to quit cigarettes 10 years ago.

Yet even she doubts that making it impossible to buy tobacco products in town would make a difference to a smoker seeking a fix. She once went out in an ice storm for cigarettes.

"I would have gone through hell or high water," she said.

AP Tobacco Writer Michael Felberbaum in Richmond, Virginia, contributed to this report.

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