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Health Department Finalizes Regulation to Ban Sale of Single, Cheap Cigars

Mayor Dixon Announces City Legislation to Strengthen Effort

Baltimore, MD (January 14, 2009) – Mayor Sheila Dixon was joined by Baltimore City Health Commissioner Dr. Joshua Sharfstein, elected officials and health advocates to announce two efforts to ban the sale of individual, cheap cigars in Baltimore City. The cigars, sold individually for as little as 50 cents each, are especially attractive to young people, addictive, and harmful to health. Under the measures, cheap cigars would have to be sold in packs of five in the city of Baltimore.

“If we’re going to make Baltimore a healthier city, we should not permit the sale of 50 cent-cigars that appeal to young people because of their low cost and fruity flavors,” said Mayor Sheila Dixon. “This is a common sense approach to the serious public health problem of tobacco use.”

On May 28, 2008, the Baltimore City Health Department issued a proposed regulation requiring that cheap cigars be sold in packs of five in non-tobacco retail establishments. Public comments were accepted through July 1, 2008. Following an extensive review of documents submitted, the Health Department determined that the sale of cheap, individually sold cigars represents a public health hazard and nuisance and is within the authority of the Health Commissioner to regulate. The Commissioner of Health is issuing final regulations today to take effect October 1, 2009.

Mayor Dixon also announced that the Administration will pursue legislation in the City Council to make the legal approach to cheap cigars consistent with existing law on cigarettes. The measures provide enforcement mechanisms and penalties stronger than what the Commissioner of Health can accomplish by regulation alone.

The regulation and proposed city council legislation do not apply to cigars with a wholesale price of more than \$2 or a retail price of more than \$2.50. Additionally, the regulation does not apply to cigars sold in tobacco establishments.

“The logic of requiring cheap cigars to be sold five to a pack is the same as the logic that requires cigarettes to be sold 20 to a pack,” said Dr. Joshua M. Sharfstein, Commissioner of Health. “In fact, it makes sense for policy to stop favoring cheap cigars, which is fueling the interest of young people in these products.”

A copy of the final regulation, which incorporates several changes suggested by those who commented during the public comment period, is available at www.baltimorehealth.org.

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