

A Comprehensive Review of State Laws Governing Internet and Other Delivery Sales of Cigarettes in the United States

All U.S. states regulate face-to-face sales of cigarettes at retail outlets, but those regulations rarely extend to cigarettes sold online or through the mail. The growth of Internet and mail-order tobacco sales led to new state regulations designed to prevent tax evasion and illegal sales to minors. This paper offers a comprehensive review of such laws passed between 1992 and 2006.

Key Findings

- From 1992-2006, 34 states enacted laws designed to prevent tax evasion, youth access to cigarettes, or both.
- Direct-to-consumer shipment of cigarettes was banned in five states—Arkansas, Connecticut, Maryland, Ohio, and New York.
- Other relevant laws focused on age verification, payment processes, shipping restrictions, vendor licensure, tax collection, and penalties or other enforcement mechanisms.
- States passing laws restricting Internet and mail-order sales tended to have:
 - Stricter controls over tobacco sales and stronger youth tobacco access policies overall;
 - Higher state cigarette excise tax rates and revenue;
 - Among youth aged 12-17, higher rates of reported smoking “in the past month,” but also higher perceptions of smoking one or more packs of cigarettes per day as a “great risk.”

As the first systematic review of laws regulating sales of cigarettes through the Internet and mail, this paper provides important policy context for future research focused on the impacts of these laws. It also offers a framework for ongoing policy surveillance in this area.

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