



NEW YORK CITY DEPARTMENT OF
HEALTH AND MENTAL HYGIENE
Michelle Morse, MD, PhD
Acting Commissioner

Tobacco Product Regulation Act 2025 Annual Report

This report is respectfully submitted pursuant to section 17-711 of the New York City Administrative Code which requires an annual report to the City Council and the Mayor of New York regarding the administration and enforcement of the Tobacco Product and Regulation Act.

Introduction

The Tobacco Product Regulation Act (TPRA), New York City Administrative Code §17- 701 *et seq.*, became effective in April 1993, and was last amended in 2020. Provisions of this law forbid the sale of cigarettes, tobacco products, e-cigarettes, or non-tobacco smoking products to persons under the age of 21, the sale of unpackaged cigarettes ("loosies"), and the sale of tobacco products by anyone under the age of 18, unless that person is under the direct supervision of another employee who is of age and on the premises. Beginning in 2014, retailers were required to post specifically worded signs indicating that tobacco and e-cigarette sales to those under the age of 21 are prohibited and must also request and review photo identification from the prospective buyer, unless the purchaser reasonably appears to be at least 30 years of age. The responsibility for educating retailers about TPRA and the enforcement of TPRA lies with the Department of Health and Mental Hygiene (Health Department), the Department of Consumer and Worker Protection (DCWP), and the Department of Finance (DOF).

The Adolescent Tobacco Use Prevention Act (ATUPA), New York State Public Health Law §1399-aa *et seq.*, similarly prohibits the sale of tobacco products to youth, though on a statewide basis. In 2019, ATUPA was amended to increase the minimum legal sale age from 18 to 21. ATUPA provides authority for the State Department of Health (SDOH) to fund local government entities to enforce ATUPA in their jurisdictions. Pursuant to this authority, State Department of Health (SDOH) funds DCWP to perform ATUPA compliance checks and educate tobacco retailers about the provisions of ATUPA, TPRA and the consequences of noncompliance.

To enforce the provisions of both the TPRA and ATUPA, DCWP employs underage youth to make undercover attempts of over-the-counter purchases of tobacco, non-tobacco smoking products and e-cigarettes during compliance checks. DCWP compliance checks include annual inspections of all retailers and follow-up inspections with retailers that have received "points" for past violations. (See below for more information about points). At the end of the reporting period, March 31st, 2025, DCWP licensed 3,654 Tobacco Retail Dealers, and 1,728 Electronic Cigarette Dealers in NYC. This represents a reduction of 332 Tobacco



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Retailer Dealers and 95 Electronic Cigarette Dealers Licenses during the reporting period.

Penalties for violation of the TPRA are specified in New York City Administrative Code §17-710. Fines range from \$500 to \$10,000. In some cases, the amounts of fines escalate for repeat offenders so long as the violations take place within a three-year period. Repeated violations of certain offenses within a three-year period can also trigger revocation of the vendor's City Tobacco Retail Dealer license. Office of Administrative Trials and hearings (OATH) adjudicates these violations. Penalties for violations of ATUPA are specified by state law. Fines range from \$100 to \$2,500. In addition, the statute sets forth a process by which sale-to-minor violations result in "points" on a retailer's record. The accumulation of three or more points can result in suspension of a retailer's state tobacco and vapor products dealer registrations and state lottery license.

Results

The following table reflects the tobacco inspection activity during Grant Year XXVII, April 1, 2024, to March 31, 2025.

Quarter	Compliance checks by adults	Compliance checks with youth	Tobacco sales made to youth
1st Quarter Grant XXVII Apr. 1-June 30, 2024	3,340	3,863	433
2nd Quarter Grant XXVII July 1-Sept. 30, 2024	3,957	3,639	321
3rd Quarter Grant XXVII Oct. 1-Dec. 31, 2024	4,310	3,166	421
4th Quarter Grant XXVII Jan. 1, 2025-March 31, 2025	4,185	1,835	307
Total	15,792	12,503	1,482

Discussion

A total of 27,292 compliance checks were performed between April 2024 and March 2025. Of these, 12,503 were undercover purchase attempts with underage youth. The remaining 15,792 were comprehensive adult compliance checks.



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DCWP provides free consultations to businesses on the laws and rules enforced by DCWP. Between April 2024 and March 2025, DCWP inspectors provided business education to 424 tobacco and e-cigarette retail dealers. Since 2017, DCWP has conducted nearly 18,058 business education visits, reaching more than 13,700 unique businesses.

DCWP also conducted 173 outreach events, citywide, targeting brick and mortar businesses and shared information from our Tobacco Retail Dealer and Electronic Cigarette Retail Dealer inspection checklists, as well as additional resources made available by the agency.

Due to recent funding cuts, the Health Department was unable to conduct the activities required for Local Law 69 of 2009. However, the Health Department has and will continue to provide educational materials on our website. Please see below for the resources available.

[Tobacco and E-cigarette Retailers - NYC Health](#)

[Tobacco Treatment Action Kit - NYC Health](#)

[Youth Tobacco and E-Cigarette Prevention Action Kit - NYC Health](#)