

Pharmacies Send Mixed Messages: Giving the Green, Yellow, and Red Lights to Smoking

Pharmacists, consumers, and tobacco users agree that pharmacies should promote healthy living and discourage the use of products that impede healthy lifestyles. Pharmacies that sell tobacco products undermine this notion and endanger public health by:

- Sending contradictory messages to customers, offering tobacco alongside medicine and products meant to address illnesses caused or exacerbated by tobacco use. For example, many rely on pharmacies to provide medications for asthma, emphysema, cardiovascular disease, and cancer.¹
- Implicitly understating the harmfulness of tobacco. It is no secret that tobacco is both addictive and lethal, yet the availability of tobacco products in pharmacies legitimizes its use, and falsely suggests that pharmacists support tobacco consumption.²
- Perpetuating misconceptions about the popularity, acceptability, and accessibility of tobacco. Social acceptability of tobacco is an important determinant of tobacco initiation and cessation.³
- Increasing the retail density of tobacco, consequently increasing tobacco consumption.⁴ The more places that tobacco is sold, the greater the number of individuals exposed and likely to succumb to tobacco marketing messages and product use.
- Impeding tobacco cessation attempts by displaying tobacco products and its advertising alongside tobacco cessation products.⁵ Further, tobacco product displays trigger an increased urge for the product in users and former users, often resulting in impulse purchases by adults and youth attempting to reduce or quit use.⁶

Prohibition of tobacco sales by pharmacies is one approach within a comprehensive public health effort to reduce tobacco consumption by changing cultural and social norms about tobacco use.⁷ Pharmacies cannot completely assume the role of “public health facilities”⁸ while encouraging those behaviors that are harmful to the public’s health. *Prohibiting the sale of tobacco by pharmacies assists in reducing the availability, visibility, and social acceptability of tobacco.*⁹ Disassociating tobacco products with pharmacies denormalizes tobacco consumption, debunks assumptions that tobacco is healthy, and “contribute[s] to the long-term goal of reducing and ultimately eliminating tobacco use and addiction.”¹⁰

This information is provided for educational purposes only and is not to be construed as a legal opinion or as a substitute for obtaining legal advice from an attorney.

References

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¹ Jerome E. Kotecki et al., Pharmacists' Concerns and Suggestions Related to the Sale of Tobacco and Alcohol in Pharmacies, 23 J. COMMUNITY HEALTH 359, 364(1998); Mitchell H. Katz, Banning Tobacco Sales in Pharmacies, 300 J. AM. MED. ASS'N. 1451, 1451 (2008). (Patients visit pharmacies to purchase medications to treat their diseases and many of these diseases are worsened by tobacco).

² *Eliminating the Sale of Tobacco Products in Pharmacies*, AMERICAN HEART ASS'N, (June 4, 2009), http://www.heart.org/idc/groups/heart-public/@wcm/@adv/documents/downloadable/ucm_304805.pdf . (Allowing tobacco sales in pharmacies implicitly sends the message that it is not so dangerous to smoke).

³ *Id.* (Removing tobacco products is another step in our longstanding efforts to denormalize tobacco products. Social unacceptability has been repeatedly shown to be an important influence on both initiations and quitting).

⁴ Joanna E. Cohen & Lise Anglin, Outlet Density: a New Frontier for Tobacco Control, 104 ADDICTION 2, 3 (2009).

⁵ *Eliminating the Sale of Tobacco Products in Pharmacies*, AMERICAN HEART ASS'N, (June 4, 2009); Jack E. Finchman, *An Unfortunate and Avoidable Component of American Pharmacy: Tobacco*, 72 Am. J. Pharmaceutical Educ. 1, 1-3 (2008). ("More than 8 out of 10 of the pharmacies continuing to sell cigarettes also displayed cigarette advertising. Over-the-counter nicotine replacement (NRT) products were sold by 78% of pharmacies. Following a bizarre placement scheme, 55% of pharmacies selling cigarettes displayed these NRT products immediately adjacent to the cigarettes.").

⁶ Nigel Gray, Powerwalls Prey on the Susceptible, 103 ADDICTION 329, 330 (2007) (commenting on M. Wakefield, et al., *The effect of retail cigarette pack displays on impulse purchase*, 103 ADDICTION 322 (2008)). Nearly 37.7% of smokers attempting to quit agree that the presence of tobacco displays elicits an urge to smoke.

⁷ Brief for Tobacco Control Legal Consortium, Public Health institute, et al. as Amici Curiae Supporting Appellees at 4, Phillip Morris U.S.A. Inc. v. City of S.F., 957 F. Supp. 1330 (1997) (No. 08-17649), WL 1063781.

⁸ *Id.* at 15.

⁹ *Id.* at 5.

¹⁰*Id.* at 3, 8.

