



# MASSACHUSETTS MEDICAL SOCIETY

*Every physician matters, each patient counts.*

May 14, 2026

OLIVIA C. LIAO, MD, FACS  
*President*

REBECCA W. BRENDEL, MD, JD  
*President-Elect*

HUGH M. TAYLOR, MD  
*Immediate Past President*

LEE S. PERRIN, MD  
*Secretary-Treasurer*

ELI C. FREIMAN, MD, FAAP  
*Speaker*

GRAYSON W. ARMSTRONG, MD, MPH  
*Vice Speaker*

LOIS DEHLS CORNELL  
*Executive Vice President*

The Honorable Tom Walsh  
Chair, House Committee on Bills in the Third Reading  
State House, Room 20  
Boston, MA 02133

Dear Chair Walsh,

On behalf of the Massachusetts Medical Society (MMS), I write to express our strong opposition to H.5271, *An Act to clarify the minimum age for the sale and purchase of adult-use products*. This legislation would significantly undermine the authority of cities and towns to enact innovative, evidence-based public health measures, particularly local Nicotine Free Generation (NFG) ordinances, by preempting local action that goes beyond the statewide minimum age.

The MMS is a professional association of over 23,000 physicians, residents, and medical students across all clinical disciplines, organizations, and practice settings. The Medical Society is committed to advocating on behalf of patients, for a better health care system, and on behalf of physicians, to help them provide the best care possible. Our organizational policy supports establishing a Nicotine Free Generation in Massachusetts through restrictions on the sale of addictive nicotine products to individuals born after a certain date.

H.5271 would nullify these efforts by prohibiting municipalities from adopting age- or birth-year-based sales restrictions. This sweeping preemption would effectively dismantle the progress already made by Massachusetts communities that have acted to protect future generations from nicotine addiction. To date, more than 20 communities have adopted NFG policies, demonstrating both the feasibility and local commitment to this policy approach.<sup>1</sup>

As physicians, we see firsthand the devastating consequences of tobacco use, which remains the leading cause of preventable death in the United States.<sup>2</sup> Nicotine addiction most often begins in adolescence, when the developing brain is particularly vulnerable. Nearly 90 percent of adult daily smokers begin smoking before the age of 18.<sup>3</sup> Policies that delay or prevent initiation are among the most effective tools we have to reduce long-term morbidity and mortality. Tobacco use disproportionately impact communities of color, low-income populations, and individuals with behavioral health conditions, due in part to

860 WINTER STREET

WALTHAM, MA 02451-1411

TEL (781) 893-4610

TOLL-FREE (800) 322-2303

FAX (781) 893-9136

WWW.MASSMED.ORG

<sup>1</sup> Nicotine Free Generation in Massachusetts. Public Health Advocacy Institute. <https://phai.org/nfgma/#:~:text=Brookline,Northampton>.

<sup>2</sup> CDC. Burden of Cigarette Use in the U.S. <https://www.cdc.gov/tobacco/campaign/tips/resources/data/cigarette-smoking-in-united-states.html#:~:text=Current%20Cigarette%20Smoking%20Among%20U.S.,5>

<sup>3</sup> FDA. Youth and Tobacco. <https://www.fda.gov/tobacco-products/public-health-education/youth-and-tobacco#:~:text=Almost%2090%20percent%20of%20adult,most%20vulnerable%20to%20nicotine%20addiction>.

decades of targeted tobacco industry marketing and persistent social and structural inequities.<sup>4</sup>

NFG laws are a logical and targeted extension of the Commonwealth's leadership in tobacco control. These policies focus on point of sale—not possession or use of nicotine products—ensuring that current adult consumers are not impacted while preventing the tobacco industry from recruiting new, younger users. By design, they are incremental, enforceable, and grounded in strong public health evidence.

Local governments have historically played a critical role in advancing public health protections, often serving as incubators for policies that later become statewide standards. H.5271 would reverse this tradition, stripping municipalities of their ability to respond to the specific needs of their communities and to lead on emerging public health strategies.

We respectfully urge the committee to preserve the authority of cities and towns to enact measures that protect the health of their residents. Maintaining local authority is essential to continuing the Commonwealth's progress in reducing tobacco use and preventing nicotine addiction among future generations.

Thank you for your consideration of our comments. Please do not hesitate to contact us if you have any questions.

Sincerely,

Olivia C. Liao, MD, FACS

---

<sup>4</sup> *Eliminating Tobacco-Related Disease and Death: Addressing Disparities— A Report of the Surgeon General. Key Findings.* <https://www.hhs.gov/sites/default/files/2024-sgr-tobacco-related-health-disparities-key-findings.pdf>