



Paris, 1 October 2025

## PRESS RELEASE

[Legal decision]

### **Ban on the sale of tobacco and vaping products to minors - concrete measures have already been taken to ensure compliance**

**In response to a complaint filed by *Alliance Contre le Tabac* (alliance against tobacco) regarding inadequate enforcement of the ban on the sale of tobacco and vaping products to minors, the Conseil d'État has ruled that there are currently no grounds to compel the authorities to adopt additional measures. The court emphasised the specific challenges of monitoring compliance by tobacco retailers, noted the substantial efforts already undertaken by public authorities to raise awareness, and highlighted the anticipated impact of recently introduced measures designed to reinforce inspections and increase penalties for violations.**

The organisation *Alliance Contre le Tabac* (ACT) petitioned the Conseil d'État to order the Government to take any necessary measures to enforce the ban on the sale and free distribution of tobacco and vaping products to minors.

Firstly, the Conseil d'État noted that the organisation was not asking for a new public policy to be determined, which would exceed the powers of the administrative courts, it was only petitioning for enhanced measures to be implemented within the framework of the current public policy.

Based on a number of investigative studies, the Conseil d'État noted that the ban on sales to minors was currently very poorly enforced. According to a study conducted in 2021 by the *Observatoire Français des Drogues et Toxicomanies* (French monitoring centre for drugs and drug addiction), nearly half of all smokers aged 14 to 15 said they had bought a packet of cigarettes from a tobacconist's.

The Conseil d'État confirmed tobacconists were responsible for banning sales. While it is the responsibility of the authorities to enforce compliance with the ban, this control is particularly difficult, since failure to comply with the ban on sales can only be detected if it is blatantly obvious. However, concrete measures have already been taken by public authorities to ensure compliance. A major effort, driven by the national tobacco control programme and the interministerial strategy to combat addictive behaviour, scheduled to run until 2027, is being made to inform tobacconists and raise awareness of the implementation of and compliance with the ban. Tobacconists must also undergo further training regarding their obligations, including the ban on sales to minors. Above all, further measures have been taken to step up controls and penalties. Should they fail to comply with the ban, tobacconists will be subject to systematic disciplinary proceedings and fines, which were raised from fourth to fifth class last June.

On these grounds, and taking into account what can be reasonably expected from all the actions undertaken and their recent reinforcement, the Conseil d'État considered that there were no grounds, at this time, to order the administration to implement further action. The appeal lodged by the *Alliance Contre le Tabac* was, therefore, dismissed.