



## A Newsletter for Idaho Tobacco Retailers Sponsored by Idaho Department of Health & Welfare

Volume 15, Issue 8  
August 2016

Contact us: 208-334-0642

ID Tobacco Project Website: [healthandwelfare.idaho.gov](http://healthandwelfare.idaho.gov)

Select the "Families" menu and then "Substance Abuse"

On that page select the box titled "Idaho Tobacco Project"

### Facts and Stats

**Grade "A" for  
1<sup>st</sup> half of 2016  
(Jan 1 to June 30, 2016)**

According to Idaho Code 39-5701, the Idaho Department of Health and Welfare must inspect each business that sells tobacco to ensure that it does not sell tobacco to minors. In the 1<sup>st</sup> half of 2016:

- 875 Vendors were inspected.\*
- 52 Vendors sold to the inspecting minor.
- The compliance rate for the month was 94.06%

\*Inspections where purchase attempts were made.

### Prevent the Sale Website

[Preventthesale.com/  
Idaho](http://Preventthesale.com/Idaho)

Look for our new game, additional training and point-of-sale resources for retailers, and updated ID information!

## New FDA Rules and How They Apply to You

By Annette Ludington

### FDA Deeming Rule Takes Effect on August 8

Food and Drug Administration's (FDA) deeming rule went into effect on August 8, 2016. The rule extends the agency's regulatory authority to tobacco products including electronic nicotine delivery systems (ENDS) such as e-cigarettes and vape pens; all cigars; hookah (waterpipe) and pipe tobacco; nicotine gels; and certain dissolvables.

### Restricting Tobacco Product Sales to Youth

Starting on August 8, 2016 retailers, federal law states:

- Must **NOT** sell e-cigarettes, hookah or pipe tobacco, or cigars to people under 18 years of age. Be sure to check photo ID of everyone under age 27.
- Must **NOT** sell tobacco products (as listed above) in a vending machine (except in a facility where people under age 18 are never allowed on the premises). As a reminder, vending machines in Idaho are prohibited.
- Must **NOT** give away free samples of any newly-regulated tobacco products (as listed above). This provision also applies to manufacturers, importers, and distributors.

### More Provisions Take Effect August 8 and Later in the Month

Beginning on August 8, manufacturers of newly-regulated tobacco products will no longer be allowed to introduce new tobacco products to the market without first receiving authorization from FDA. A manufacturer with a tobacco product already on the market as of August 8 will be provided additional time to comply with certain submission requirements, such as ingredient listing, health document submission, and premarket tobacco applications.

To help make the process of complying as smooth as possible, the FDA's Center for Tobacco Products (CTP) will continue to provide information along the way. We will continue to pass this information on to you as well in these newsletters.

Read more about the provisions that take effect in August at the following link:

[http://www.fda.gov/TobaccoProducts/NewsEvents/ucm513815.htm?source=govdelivery&utm\\_medium=email&utm\\_source=govdelivery](http://www.fda.gov/TobaccoProducts/NewsEvents/ucm513815.htm?source=govdelivery&utm_medium=email&utm_source=govdelivery)

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## Stay Current and In The Know

### Download or Order Today: New Materials for Retailers

The FDA's Center for Tobacco Products (CTP) has created flyers for retailers with information about product-specific regulations relating to the sale of tobacco products to include the **new deeming rule**. Download or order them today through the [FDA Center for Tobacco Products Publications Clearinghouse!](http://www.fda.gov/TobaccoProducts/PublicationsClearinghouse/)

<http://www.fda.gov/TobaccoProducts/GuidanceComplianceRegulatoryInformation/Retail/ucm284328.htm>

### Sign Up for CTP's Compliance Updates

Center for Tobacco Products (CTP) is committed to offering information to help those who must comply with the deeming rule. As the effective dates approach for various important provisions, the Center will provide information in the form of compliance updates to those who have signed up to receive them. Sign up today with the link below to receive your updates via email.

[https://public.govdelivery.com/accounts/USFDA/subscriber/new?topic\\_id=USFDA\\_472](https://public.govdelivery.com/accounts/USFDA/subscriber/new?topic_id=USFDA_472)

### By The Way

If you have any questions about this new deeming rule or if you would like us to address a specific topic in future newsletters, please contact the Idaho Tobacco Project at 208-334-0642. Also, more information about the Idaho state law and the sale of tobacco products within Idaho can be found on [www.preventthesale.com](http://www.preventthesale.com).



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#### What's inside?

- FDA Deeming Rule, Effective August 8th
- How the New Rule Affects You
- Order Materials for the Deeming Rule
- Stay Updated

**PLEASE DISTRIBUTE TO EMPLOYEES**