



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

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Contact us: 208-334-0642

ID Tobacco Project Website: healthandwelfare.idaho.gov

Select the "medical" menu and then "Idaho Tobacco Permits"

Facts and Stats

"A-" average for 2017

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 2017:

- 1709 Vendors were inspected.*
- 146 Vendors sold to the inspecting minor.
- The compliance rate for the month was 91.46%

*Non-minor Exempt Inspections where purchase attempts were made.

Prevent the Sale Website

A training resource provided to you by the Idaho Department of Health & Welfare.

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

Visit our website and get valuable retailer education and training support on all aspects of Idaho's Prevention of Minors' Access to Tobacco law!

Ready or Not, Is it Inspection Time?

You may never know...

By Cheryl Reed

A Useful Brochure for Idaho and FDA Tobacco Laws

While we're making progress in our fight to keep youth safe from tobacco, our battles are becoming more complicated. New tobacco and tobacco-related products are continually being created, requiring new laws and regulations to protect youth. Cigars, cigarettes, hookah tobacco, dissolvables, nicotine gels, smokeless tobacco, vaporizers and other electronic nicotine delivery systems ... even electronic pipes, are just some of those products.

Tobacco laws are written to make regulated tobacco products less attractive and less accessible to youth. This newsletter is written to help you know, understand, and follow these laws to help you win your daily battles as a tobacco retailer.

One of the most important rules of the past few years is the Tobacco Control Act. This new law gave the Food and Drug Administration (FDA) authority over the sale and control of tobacco products and warning statements for these products. The state of Idaho works closely with the FDA to educate and inform retailers of the rules and regulations for selling tobacco products. You can find a useful brochure on these laws on the Prevent The Sale website below. Print it off and take it home, or keep it handy at work if you ever have questions.

<http://www.preventthesale.com/idaho/pdf/TrainingMaterials/Idaho%20FDA%20Tobacc%20Seller%20Requirements.pdf>

Your State Compliance Inspection for 2018

Idaho law requires that every retailer in the state of Idaho that sells tobacco products be inspected by Idaho Tobacco Project inspector at least once per year. Additional inspections are dependent on the state's violation rate. Meaning, selling tobacco products to inspecting minors will increase the number of required inspections in a given year per state law. If the business fails the inspection and sold tobacco products to the minor inspector, the clerk will be fined \$100 on the spot and the retailer will be notified by mail of the violation and may be issued a retailer fine. If the clerk refuses to sell tobacco to the minor, the minor leaves the establishment without further incident and the clerk may not realize a compliance inspection just took place.

Remember that a violation takes place at the point of sale. In other words, the business will fail an inspection **the moment tobacco is sold to the minor**. The clerk is not allowed to try and take back the tobacco, take a state inspecting minor's ID, or detain the state inspecting minor in any way. After the minor has left the establishment, the adult inspector will identify himself/herself and issue the \$100 fine to the selling clerk. (Note that this information is specific to the Idaho Tobacco Project inspections and Idaho state code and should not be confused with FDA inspections. Procedures and laws for FDA inspections are different.)

How did you do last year with state compliance checks? Have you made goals to do better this year, or is your performance already stellar? If so, we commend you! Failed compliance inspections can be costly—but not only that, they can be a reflection of poor training. Make sure all employees are well trained in reading state IDs, identifying false IDs, saying “NO” to minors, and helping keep our Idaho youth safe from harmful tobacco addiction. Thank you!

Some Friendly Reminders for 2018

- Have you Renewed Your Tobacco Permit?
- Are you in compliance?
- Are you well trained and prepared for a compliance check?
- Are you and your employees trained to say “No” to minors who try to purchase tobacco products?
- Are your tobacco products displayed in accordance with Idaho's laws?
- Do you know how to identify a fake ID?
- Have you played any of the training games at preventthesale.com?
- Have you signed a Department of Health and Welfare form indicating that you understand the state law requirements?
- Do you know about the Idaho Tobacco Project?

Visit <http://preventthesale.com> for help on these and other questions!



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What's inside?

- A Useful Brochure
- Your 2018 Compliance Check
- Some Friendly Reminders

PLEASE DISTRIBUTE TO EMPLOYEES