



Contact us: 208-334-0642

ID Tobacco Project Website: healthandwelfare.idaho.gov

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

Facts and Stats

Grade "A" for 2018

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 **2018**:

- 1743 Vendors were inspected.*
- 112 Vendors sold to the inspecting minor.
- The compliance rate for the month was 93.57%

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

Prevent the Sale Website

Preventthesale.com/Idaho

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

Be Ready for State Tobacco Inspections

Idaho code requires yearly tobacco inspections of Idaho-based tobacco retailers. These state tobacco inspections ensure compliance with Idaho Code 39-5700. The Idaho Department of Health and Welfare is grateful to maintain a positive partnership with its tobacco retailers and wants to ensure all retailers are ready to *Prevent the Sale of Tobacco to Minors*.

Is your business ready for state tobacco inspections? Understanding Idaho law will prepare you for success. Here are some things to remember:

1. Tobacco Sales must be **Vender Assisted**: Retailers must ensure customers have no access to tobacco products until the sale of the tobacco product is complete. For example, if a customer is handed a tobacco product by the clerk and asked to check out at a different counter that would be a violation of the law. The customer cannot walk around with or handle tobacco products until they have purchased them. (Idaho Code 39-5706 (1)).
2. Tobacco Sales and **Self-Service Displays**: In general, Idaho prohibits self-service displays of any kind. This means if a customer can touch or pick up tobacco from a display in the store, that would be a violation of the law. The best way to ensure the store has no self-service displays is to have a physical barrier between the customers and the tobacco products. The only exception are for a businesses with at least 75% of its merchandise in tobacco products. A example of this would be a tobacco store. (Idaho Code 39-5706 (4)).
3. Tobacco Sales and **Open Packages, Samples, Freebies**: Open packages, samples and freebies are illegal in Idaho. Keep it simple and only sell tobacco in its original packaging and at the lawful price. (Idaho Code 39-5707 (1) (2)).
4. Tobacco Sales and **Vending Machines**: Selling tobacco products directly to customers through a Vending Machine is illegal in Idaho. (Idaho Code 39-57706(2)).

Ready for Inspections? Continued...

5. Tobacco Sales and **Clerk Training**: Make sure clerks are properly trained to “say no” to any customer who attempts to buy tobacco products and under 18 years old. Have clerks always ask for customer ID. Train clerks on what current Idaho IDs look like and how to easily spot an underage ID without using math. Go to <http://preventthesale.com/Idaho/ids.htm> for more information.
6. Tobacco Sales and **State Tobacco Inspections under Idaho Code 39-5700**:
 - a. Inspections are random and unannounced. Therefore, always be prepared for a tobacco inspection. It could happen at any time.
 - b. A failed inspection results in an immediate citation to the clerk who sold in the amount of \$100, and possible fines to the business based upon its inspection history.
 - c. Inspection teams are authorized to conduct these inspections under Idaho code. Minor inspectors working under Idaho Code 39-5700 are provided immunity under the law. They are properly trained, must produce their valid ID (if asked), and cannot lie about their age. The minors selected for this project care about the health and welfare of Idaho’s youth. They are the best and brightest of Idaho’s future leaders, must have a strong GPA, and parent permission to participate. Our inspection teams and minors want ALL retailers to succeed by refusing the sale of tobacco minors.

Additional Training Resources

To be better prepared for Idaho’s 2019 tobacco inspections, go to www.preventthesale.com to find additional training resources. There you will find:

- A downloadable copy of the current Idaho Code.
- A “Seller’s Quiz” designed to reinforce the information outlined in the law.
- Information on what IDs in Idaho look like based upon their orientation (horizontal or vertical) and age identifiers (color of ID, ‘under 18 until...’, etc.).
- A game clerks can use to test their knowledge of ID appearance to know if a customer should be sold tobacco or refused tobacco. This is a great way to get clerks to recognize ID “makers” that identify the customers age without using any kind of math or mental calculation of the birthday.
- Additional downloadable retailer resources including newsletter archives, various signs and posters, and a downloadable training presentation for both owners and clerks.



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What’s inside?

- Be Ready for Inspections
- Additional Training Resources

PLEASE DISTRIBUTE TO EMPLOYEES