



Contact us: 208-334-0642

ID Tobacco Project Website: [healthandwelfare.idaho.gov](http://healthandwelfare.idaho.gov)  
Select the "medical" menu and then "Idaho Tobacco Permits"

Volume 19, Issue 8  
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## 2020 FACTS AND STATS

Compliance Grade:

**A**

July 2020

According to Idaho Code 39-5701, the Idaho Department of Health and Welfare must inspect each Permitted Retailer that sells tobacco and electronic smoking devices to ensure that it does not sell these products to minors.

How well did these Permitted Retailers comply with the law?

- 30 Permitted Retailers were inspected.\*
- 1 Permitted Retailer sold to the inspecting minor.
- The compliance rate for August 2020 was

**96.67%**

**WELL DONE!**

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

## Training Staff Has Never Been More Important

These are uncertain times for all of Idaho's Retailers as they work to navigate the impact of the Novel Coronavirus pandemic throughout the state. This is also true for Idaho's Tobacco and Electronic Device Retailers who are faced with what seems like a never-ending list of tough questions that must be answered:

- How will the store comply with the Governor's and any local business opening protocols?
- What hours of operation will the store be open?
- What kind of staffing should the store have?
- Will our staff be required to complete a health screening before starting work each day, and will staff be required to wear face masks during their shifts?
- Will the store require customers wear face masks while shopping? If so, how will that be enforced?
- How will the store handle social distancing and sanitization of the store?
- How will the July 1, 2020 changes to [Idaho Code 39-5701](#) that now includes rules on electronic smoking devices impact the business?
- What kind of training should staff receive to be ready for all these changes?

So many questions. So many changes to daily routine and business operations. Now more than ever, we encourage all Permitted Retailers, regardless of the size of the business, to have a training program in place that will provide information on the laws and company policies related to minors access to tobacco and electronic smoking devices as laid out in [Idaho Code 39-5701](#).

([http://preventthesale.com/idaho/pdf/Idaho\\_Code\\_39-5700\\_Updated\\_July\\_1\\_2020.pdf](http://preventthesale.com/idaho/pdf/Idaho_Code_39-5700_Updated_July_1_2020.pdf))

Training suggestions include:

- An annual review of Federal, State, and local laws focusing on any changes to the previous year's laws and requirements. (See [Idaho Code 39-5701](#) latest update effective July 1, 2020 that now includes Electronic Smoking Devices.).
- A review of company policies on youth access to tobacco and electronic smoking devices, and a clear outline of any company penalties for selling to a minor.
- A clear definition of the tobacco and electronic smoking device products and smoking paraphernalia that your company sells and which of those items the sales-to-minors laws apply (See [Idaho Code 39-5701](#) for more information).
- A defined cut-off age established by which all customers must be carded before tobacco and electronic smoking devices are sold to them. With customers potentially wearing face masks, ensuring that your clerks check ID before approving a sale is more important than ever.

- Guidelines for inspecting IDs that identify age of the customer without using of math. Don't forget, there is no need to find the date of birth on Idaho IDs and then try to use math to calculate if the customer is old enough. Instead, utilize the states ID formatting (underage IDs are vertical), color-coding (underage IDs have green and red coloring around the information box,) and wording (underage IDs have the words "Under 18" or "Under 21" in the same color as the information box border) to verify age.
- Provide practice techniques for handling recurring situations, like:
  - Asking for ID
  - When and how to ask for a second ID
  - How to decline a sale
  - Recognizing a potential third-party sale
  - Resisting customer pressure
  - Handling customer's abusive conduct.
- Provide clear directives on when to seek additional assistance from another clerk or store manager.
- Emphasize that tobacco and electronic smoking device sales are not required, and that no penalty will be imposed for refusing a sale.
- Provide a written test to establish employee's knowledge of the laws and company policies.
- Have each employee sign the [Employee Training Form](#). A copy is sent to each retailer with their tobacco permit and is part of the Idaho Administrative Code. A copy can also be downloaded at <http://preventthesale.com/Idaho/resources.htm>.
- Have company policies in writing and provide a copy to each new employee. Post the company policies in the stores breakroom or staff only location. Be able to provide a copy to any employee who asks for one.

### Permit Reminder for Idaho Tobacco Retailers

Don't forget that if you sell Vape and Electronic Smoking Devices an Idaho Tobacco Permit is now required. These permits are not transferable. Meaning, if you sell your business, the existing permit must be inactivated, and the new owner must get their own Idaho Tobacco Permit. In addition, Idaho Tobacco Permits must be renewed annually. Annual renewal will begin October 1. Should any Idaho Tobacco Retailer have questions about their Idaho Tobacco Permit, we are always happy to help. Feel free to contact us by either the "Contact Us" link on the TobaccoPermits.com homepage or by calling us toll free at 877-641-4468.  
<http://www.tobaccopermits.com/Idaho/>



Need information on the Idaho tobacco law, training and point-of-sale resources, information about what IDs look like, a helpful quiz and game to practice when to refuse the sale of tobacco to a customer, and many other resources tailored to Idaho Tobacco Retailers? Check out our website designed just for Idaho Tobacco Retailers: [Preventthesale.com/Idaho](http://Preventthesale.com/Idaho)



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**PLEASE DISTRIBUTE TO EMPLOYEES**