

Prevent the Sale!

Newsletter for Idaho Tobacco Retailers

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Sponsored by Idaho Department of Health & Welfare

VOLUME 09, NUMBER 01 JANUARY 2010

Some Final Thoughts

By Cheryl Dudley

Prevent the Sale Web site

- Learn about the law
- Download a copy of the tobacco code
- Take the tobacco quiz
- See what the ID's look like
- Play the Game "Would You Sell to This Person?"
- Download the Owner and Employee Training Presentation and print a completion certificate
- Download a copy of the Employee Training Form
- Review past issues of the tobacco newsletter

VISIT

www.preventthesale.com/idaho

Keep Up the Good Work

Because of statewide funding shortfalls and budget cuts, we regret that this will be the last copy of the Prevent the Sale Newsletter. If funding becomes available, we may be able to resume it again in the future.

In the meantime, we encourage you to continue working hard to prevent the sale of tobacco to minors. As you know, the majority of smokers begin smoking as teen-agers, so your job in preventing the sale remains of utmost importance to our nation's health.

Prevent the Sale Dot Com

<http://www.Preventthesale.com> will remain active as an excellent resource for tobacco retailers. The website provides useful training information, such as past newsletters, quizzes, and how to identify a fake identification. You can also download the **Owner and Employee Training Presentation**, which is the same presentation vendors received in CD format earlier this year. The presentation provides a comprehensive overview of the Idaho code regarding the sale of tobacco and access to minors as well as reviews of relevant information for employees. In addition, past issues dating back to 2002 of the tobacco newsletter can be found on this website.

We suggest that in lieu of the monthly Prevent the Sale Newsletter, tobacco vendors and employees utilize the website and its resources.

Check Tobacco Permit Status

It's easy to check on your tobacco permit status online. Just visit

www.tobacopermits.com/Idaho

where you can review your outlet information, inspection history, and print your permit.

If you have questions regarding your permit status, training information, or questions regarding the law, you may call the Idaho Tobacco Project: 208-334-0642.

Be Ready for Compliance Checks!

The law requires that at least one random compliance check take place per vendor per year in the state of Idaho plus additional checks based on the non-compliance rate for the previous year. The total number of inspections that the law requires is equal to the number of permitted businesses multiplied by the percentage of the previous years' violations multiplied by ten. Sound complicated?

All you need to remember is that each vendor should expect to be inspected at least twice a year no sooner than 30 days apart. If the business fails the inspection, the clerk is cited on the spot and the vendor notified by mail of the violation. If the clerk refuses to sell tobacco to the minor, the minor leaves the establishment without further incident.

Remember that the violation takes place at the point of sale. In other words, the business will fail the inspection at the moment the tobacco is sold to the minor. The clerk or vendor is not allowed to try and retrieve the tobacco, confiscate the minor's ID, or detain the minor in any way. After the minor has left the establishment, the inspector will identify himself/herself and issue the citation.

It is important to commit your business to preventing the sale of tobacco to minors. Compliance checks are an inevitable part of selling tobacco. Fewer non-compliance violations will reduce the number of compliance checks next year. But most importantly, it will reduce the number of Idaho kids who have access to tobacco.

Physical Barriers

Remember that cigarettes products must be displayed behind a counter where customers don't have direct access to them. A physical barrier must exist between the customer and the tobacco products.

Customers are not allowed to handle unpurchased tobacco products; in other words, the clerk cannot hand unpurchased cigarettes to a customer and have the customer carry them to a different cashier to pay.

Idaho Businesses Required to Train Employees

By law, any employee who sells tobacco must sign a Department of Health and Welfare Form indicating that they understand the state law's requirements. In addition the training CD that was supplied to all permit holders via mail – the same training CD that is available for online download at www.preventthesale.com – has a certificate that can be completed after viewing. This certificate can offer proof of employee training.

Some things to remember

- It is illegal to sell tobacco products to persons less than 18 years of age. Tobacco products include, but aren't limited to cigarettes, cigars, pipes, snuff, loose-leaf tobacco, smokeless tobacco and tobacco papers.
- Vendors are required to check photo identification to determine if a person is old enough to purchase tobacco products.
- If you do sell tobacco to someone under 18, you can personally be fined \$100. State inspections can occur at any time without warning. All tobacco sales must be vendor assisted and sold in their original manufacturer's packaging.
- Be sure you know the laws in regard to selling tobacco to minors, and understand the consequences. By selling tobacco products to minors, not only could you be fined, you are also helping promote destructive, unhealthy lifestyles in our country's most valuable resource—our children.
- For future questions regarding the Idaho Tobacco Project or the law, please call the Department of Health & Welfare, Idaho Tobacco Project at 208-334-0642.

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PLEASE DISTRIBUTE TO EMPLOYEES