



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

Volume 15, Issue 8
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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 July

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 July 2015:

- 220 Vendors were inspected.*
- 22 Vendors sold to the inspecting minor.
- The compliance rate for the month was 90%

*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!

Understanding Compliance Checks

By Cheryl Reed

Understanding the Compliance Check

Idaho 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. The vendor is also notified by mail that the passed inspection occurred.

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.

Commit yourself to preventing the sale of tobacco to minors, and the compliance checks won't be an issue. Fewer non-compliance violations will reduce the number of compliance checks next year. You can always check how the state is doing on compliance checks by noting the percentage in the left hand column of this newsletter. For more details, you can visit the website at preventthesale.com/Idaho.

Employee Training Requirements

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. Here's what you should know:

- 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.

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.

Raising the Tobacco Sale Age

Hawaii became the first state to raise the tobacco sale age to 21 on June 19. Reports have concluded that raising the age requirement for the purchase of tobacco products could have a substantial positive impact on public health. It is well known that the majority of smokers begin smoking before they turn 21. What do you think? There are a number of online polls where you can voice your opinion.

Idaho's Health Initiatives

Idaho has a number of resources to help smokers quit, including free nicotine patches, gum, or lozenges, free quit tobacco classes, and free phone and web-based help. Find out more at www.cdhd.idaho.gov.



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PLEASE DISTRIBUTE TO EMPLOYEES