

Prevent the Sale!

Newsletter for Idaho Tobacco Retailers

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Sponsored by Idaho Department of Health & Welfare

VOLUME 08, NUMBER 12 DECEMBER 2009

Tobacco Law and Your Responsibility

By Cheryl Dudley

Facts and Stats

“C” Average for NOVEMBER

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 NOVEMBER 2009

- ❖ 26 Vendors were inspected.*
- ❖ 8 Vendors sold to the inspecting minor.
- ❖ The compliance rate for the month of November 2009 was 31%

*Inspections where purchase attempts were made.

Prevent the Sale Web site

www.preventthesale.com/idaho

- Learn about the law
- Take the tobacco quiz
- See what the ID's look like
- Play the Game "Would You Sell to This Person?"

The Law is Clear About Tobacco

It is important to set the tone in your store that selling tobacco products to minors is a serious offense. Schedule employee trainings and teach them how to comply with Idaho's laws. Have employees sign a written agreement and offer positive reinforcement and ongoing reminders. As a tobacco vendor, it is your responsibility to communicate with each employee.

Selling to Minors

IDAHO CODE §§ 39-5705

A person commits the crime of endangering the welfare of a minor if the person knowingly distributes or sells tobacco in any form to a person under 18 years old. A tobacco permit holder who sells tobacco to a minor will be subject to a fine, depending on the offense and whether or not the employee conducts a training program.

Placement of Tobacco Products

IDAHO CODE §§ 39-5706

It is unlawful to sell or distribute tobacco products from self-service displays. Customers are not allowed access to tobacco products until after the purchase has been completed.

Permit Suspension for Sales to Minors

IDAHO CODE §§ 39-5708

Any permit holder who sells or distributes tobacco products to minors may have his or her permit suspended for seven days for a third violation. Effective training and employment practices by the permittee shall be a mitigating factor in determining permit suspension.

Compliance and Enforcement

IDAHO CODE § 39-5710

The Department of Health and Welfare must conduct at least one random unannounced inspection per year at all locations where tobacco products are sold or distributed at retail. These inspections must be done with the assistance of a minor, except for permittees that hold a "minor exempt" permit. When assisting with the inspection, the assisting minor will not provide false identification or make any false statement about their age.

Tips to Employees

Remind employees to request a picture identification from anyone purchasing tobacco who appears younger than 18. Have your employees practice the phrase, "May I see some picture ID please?"

Teach your employees how to identify a fake identification, and remind them that the ID card photo also needs to match the potential customer.

Teach your employees to tell customers who complain about the policy that state law prohibits the sale of tobacco products to anyone younger than 18 years of age and that there are penalties for not complying with the law.

Encourage employees to remind one another about the law. Reinforce your policies regularly by reminding employees during meetings, through break room signs, newsletters and payroll stuffers.

Remind employees that it is their responsibility to make sure they are not selling tobacco to minors by:

- Checking ID
- Confirming identity
- Calculating the correct age
- Complying with the law

TIME IS RUNNING OUT TO RENEW YOUR TOBACCO PERMIT!

All current tobacco permits expire on December 31, 2009.

It is easy to renew your tobacco products sales permit on-line using a computer with internet access. Go to www.tobacopermits.com/Idaho and follow the instructions. There you can renew a single permit or multiple permits. If you have opened a new business or purchased a business that already has a tobacco product sales permit you must get a NEW permit. Permits are NOT transferrable between owners. Getting a new permit can be done online as well. If you are a business with multiple locations in Idaho, please renew all permits for all businesses associated with your company. To renew by phone, please call 208-334-0642.

Selling tobacco after December 31, 2009 without a valid permit (a 2010 permit) is illegal and a CRIMINAL offense. So please renew before the deadline.



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Easy Sudoku from www.SudokuPuzz.com

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PERMIT NO.XXX
Boise, ID

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PLEASE DISTRIBUTE TO EMPLOYEES