

# Prevent the Sale!

Newsletter for Idaho Tobacco Retailers

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Sponsored by Idaho Department of Health & Welfare

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### Where Does Tobacco Tax Revenue Go?

By Cheryl Dudley

#### Facts and Stats

##### "A" Average for APRIL

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.

APRIL 2011

- ❖ 258 Vendors were inspected.\*
- ❖ 19 Vendors sold to the inspecting minor.
- ❖ The compliance rate for the month of April 2011 was 92.64%

\*Inspections where purchase attempts were made.

#### Prevent the Sale Web site

[www.preventthesale.com/idaho](http://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?"

#### Electronic Cigarettes

Chinese pharmacist Hon Lik invented the electronic cigarette in 2002 and introduced it to the market in 2003. In 2005, the company where Lik worked began exporting the new-fangled electronic cigarettes, claiming that they simulate the physical sensation, appearance, and sometimes flavor of smoking.

The electronic cigarette delivers a smoking experience with greatly reduced health effect by producing a mist made from a propylene glycol- or glycerin based liquid solution. The primary use of the device is smoking cessation.

There is disagreement among health organizations and researchers as to the benefits and adverse effects of electronic cigarettes, which are legal in the United States. The Food and Drug Administration lost a battle in court in January 2010 to have them classified as a drug delivery device. But it is planning an appeal.

The health effects of using electronic cigarettes are currently unknown, but there are several studies regarding the long-term effect in progress.

#### NIH Funds New Lung Cancer Treatment

Two researchers at Albert Einstein College of Medicine have received \$2.4 million from the National Institutes of Health to develop an inhaled therapy for lung cancer. Lung cancer is the leading cause of cancer mortality among men and women in the U.S. The research project involves inhaling a drug that targets the lining of the bronchial tubes.

The ultimate aim of the research is to intervene at the precancerous stage and prevent lung cancer from developing.

#### Identifying a Fake ID

You can learn how to easily spot identification fraud by knowing exactly what to look for. Fake IDs are often just slightly different than the real thing. For example, the type might be a different size or font, and the back of it may be a little blurry. Here are some specific things you can check:

- Size, thickness, and color
- Placement, size, and font of the type
- Is the photo shaded, have glare or red eye?
- The state seal accuracy
- Blurry or dark images in the background
- Phrases like "for personal use," "office use only," or "not a government document."

Altered IDs often have rough places where the laminate has been tampered with. Check for cloudy images and places where numbers might overlap. Compare the birth date to the driver's license number because in some states these numbers match.

A borrowed ID can be hard to identify, given that people change. You should question any differences you might notice and ask the presenter to verify personal data on the card. You can also ask for a signature and compare it to the signature on the card. Also watch for expired cards.

To look at samples of fake ID cards, visit [preventthesale.com](http://preventthesale.com).

**Are you ready for a compliance check? Every year Idaho tobacco vendors are inspected for tobacco law compliance. To see non-compliance rate statistics, visit [tobaccopermits.com/idaho](http://tobaccopermits.com/idaho).**

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## How Are Tobacco Taxes Used?

In 2010, the American Lung Association released its State of Tobacco Control report, grading the states and federal government on key tobacco control policies.

In 2010, six states increased cigarette taxes. New York now has the highest tax in the country at \$4.35 per pack. Missouri has the lowest at just 17 cents per pack. Idaho's cigarette tax as of March 1 was 57 cents per pack. The last date of a tax increase was in 2003, when taxes increased from 28 cents to the current 57 cents. A tax on cigarettes in Idaho was first enacted in 1945. The federal excise tax on cigarettes is \$1.01 per pack.

Revenue from the state cigarette tax is distributed to several entities for specific purposes. Most of them are not health-related, however, a small amount of tobacco taxes are used for tobacco prevention and cessation programs.

## Use of Cigarette Tax Revenue Breakdown

- Public school fund to provide substance abuse programs: 5.1746 cents
- Department of Juvenile Corrections for probation services: 5.1746 cents
- Permanent building fund: 17.3 percent of the balance (0.4 percent to the central tumor registry account, 1 percent to the cancer control account

Once the funds have been appropriated, anything remaining goes to an economic recovery reserve fund. Revenue from the tax on products other than cigarettes goes to the state general fund, substance abuse programs in public schools, and county juvenile probation services.

## Penalties for Sales to Minors

It is illegal to sell, distribute, or offer tobacco products to minors. Violators can face stiff fines, and vendors can face losing their permits. Retailers must also display a sign in their place of business where tobacco is sold stating that state law prohibits the sale of tobacco to persons under 18 years old.

It is also illegal for minors to purchase, receive, possess, sell, or consume tobacco products. A violation is a misdemeanor punishable by imprisonment and/or a fine. The court may also require the minor and the minor's parents to attend tobacco awareness programs or perform community service.

Internet tobacco sales also require proof of age. The seller cannot ship tobacco products without first obtaining certification that proves the purchaser is at least 18 years old.

## It's Good to Know the Law!

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