

# Prevent the Sale!

Newsletter for Idaho Tobacco Retailers

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Sponsored by Idaho Department of Health & Welfare

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## Start the New Year Educated

By Cheryl Dudley

### Facts and Stats

#### “B” Average for DECEMBER

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 DECEMBER 2006:

- ❖ 76 Vendors were inspected.\*
- ❖ 11 Vendors sold to the inspecting minor.
- ❖ The compliance rate for the month of December 2006 was 85.5%

\*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?”

### Penalties for Selling Tobacco Without a Permit

The state of Idaho requires all tobacco vendors to register with the Department of Health & Welfare by obtaining a permit to sell tobacco and/or tobacco products. These permits are free of charge and take just minutes to obtain using their web site. All vendors are required to renew their permits by December 31st each year.

Selling tobacco without obtaining a permit is a criminal offense. The Idaho code concerning tobacco sales (Idaho Code 39-5709) states:

"The sale or distribution of tobacco products without a permit shall constitute a misdemeanor punishable by imprisonment not exceeding six months in the county jail, a fine of \$300, or by both such fine and imprisonment. If the sale or distribution of tobacco products was to a minor, the fine shall be no less than \$500 or more than \$1,000."

In addition to the penalties above, the court may impose an additional fine of \$1,000 per day beginning the day following the date of citation as long as the illegal tobacco sales or distribution continues. The first seven days of additional fines may be suspended provided that the business or seller is able to prove that the business or seller has applied for the permit within seven days of the citation." (Idaho Code 39-5709)

### Tobacco Sales Decreasing

The 378 billion cigarettes sold in the United States in 2005 represent the lowest number of cigarettes sold in the United States since 1951. This decline is even more impressive since the United States population has more than doubled since that time.

"It is not a coincidence that cigarette sales are down and fewer people are smoking," says Vermont Attorney General Bill Sorrell, Chair of the American Legacy Foundation. "The Master Settlement Agreement (MSA) was designed to protect the public and reduce cigarette consumption – and it does just that."

"The Master Settlement Agreement placed significant restrictions on the advertising and marketing practices of the tobacco companies, and also provided funding for an effective antismoking public education campaign targeted directly at youth," said Cheryl Heaton, President and CEO of the American Legacy Foundation. "These new numbers conclusively demonstrate that the combination of these two factors, together with the hard work of the Attorneys General and the public health community, has resulted in major reduction in smoking rates since the MSA was signed."

### Quit & Live

Nancy Caspersen was a pack-a-day smoker and only 33 years old when diagnosed with early signs of emphysema. She had to quit to live. She tried and failed about 30 times over the next three years.

Finally, she was able to kick the habit with a holistic approach. She wanted to help others find better ways to quit, so she's spent the last 17 years studying tobacco, basic-life counseling and addiction to develop her own cessation program called Quit & Live.

She is preaching passionately for a tobacco-free world.

"Tobacco devastates more lives in Idaho than all other drugs combined," said Nancy, whose class is based on education and mind-control

methods."It's as hard to quit tobacco as smoking heroin, smoking meth, smoking crack. It is treated as a nasty habit rather than the chronic lethal addiction that it is."

Caspersen hasn't had a cigarette in 17 years, but says she will always be addicted and just one cigarette away from a pack a day. She can't risk even smelling a cigarette because that could trigger her habit. That's why smokers relate to her. She knows exactly what they are going through.

## A New Report on Smoking

Every day in the United States, another 1,000 kids become regular smokers. That's why the Centers for Disease Control recommends Idaho spend at least 11 million dollars on youth prevention programs.

Idaho currently spends \$908,000 a year on smoking prevention, leaving the state ranked 39th in protecting kids from tobacco.

The new ranking may not look good for Idaho; however the state's spending is on the rise. Last year, Idaho only spent 544,000 dollars on programs mostly aimed at stopping kids from smoking.

The national report warns that the nation's progress in reducing smoking is at risk unless many states, including Idaho, increase funding for tobacco prevention. And while the U.S. has reduced smoking among the youth over the past decade, recent surveys say the progress has stalled. Also mentioned in the report, tobacco companies will spend

66 million dollars this year on advertising just in Idaho. That's 72 times more than what the state is going to spend on tobacco prevention.

That's one reason the job of tobacco vendors is so vital. By refusing the sale of tobacco to minors, you can make a long-term impact on the number of minors who begin smoking.

## Know the Law

- It is against the law to sell, distribute or offer tobacco products to a minor. Check photo identification to determine if a person is less than 18 years old.
- If you sell tobacco to someone under age 18, you personally can be fined \$100.
- State inspections can occur at any time to ensure compliance with the state law, and inspections occur without warning.
- Unless a store sells only tobacco products, all tobacco sales must be vendor-assisted. This means customers of all ages must ask a clerk to access tobacco products for them.
- Cigarettes must be sold only in their original manufacturer's packaging. Vendors cannot sell open packs, loose cigarettes, or any other promotional pack if it's not packaged for sale by the manufacturer.

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Tobacco Retailers

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❖ PLEASE DISTRIBUTE TO EMPLOYEES