



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

Contact us: 208-334-0642

ID Tobacco Project Website: [healthandwelfare.idaho.gov](http://healthandwelfare.idaho.gov)

Select the "medical" menu and then "Idaho Tobacco Permits"

Volume 17, Issue 11  
November, 2017

### Facts and Stats

"B+" average for October

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 **October 2017**:

- 197 Vendors were inspected.\*
- 20 Vendors sold to the inspecting minor.
- The compliance rate for the month was 89.85%

\*Non-minor Exempt Inspections where purchase attempts were made.

### Prevent the Sale Website,

A training resource provided to you by the Idaho Department of Health & Welfare.

Visit our website and get valuable retailer education and training support on all aspects of Idaho's "Prevention of Minors' Access to Tobacco" law!

[Preventthesale.com/Idaho](http://Preventthesale.com/Idaho)

## Proposed Legislative Changes in the Works!

By Cheryl Reed

### Proposed Tobacco Permit Fee

In the Idaho Legislative session starting at the beginning of January, the Department of Health and Welfare is proposing a statute change to the Prevention of Minors' Access to Tobacco Statute (39-5700). The change would enable the Department to charge a \$100 annual fee for each tobacco permit. This change must be approved by the Legislature, so no fee will be charged for renewing your 2018 tobacco permit. For existing permit holders this means a fee of \$100 would be charged when you renew your permits for 2019. This fee would be charged for each location selling tobacco products. So if you own three tobacco shops, you will have to pay a \$100 fee for each shop's permit. The proposed fee is an annual fee, meaning it will cost \$100 to renew each permit every year that you sell tobacco products.

If you have questions about the proposed legislation or the tobacco fee, contact Terry Pappin, Idaho Tobacco Project Manager. Her phone number is 208.334.6542 and her email address is [Terry.Pappin@dhw.idaho.gov](mailto:Terry.Pappin@dhw.idaho.gov).

### I Had a Non-compliance Inspection! What Now?

Each year the Department of Health and Welfare conducts random, unannounced inspections of businesses that sell tobacco products to ensure compliance with Prevention of Minors' Access to Tobacco Projects law. For inspections where a minor is used, the minor must carry a valid Idaho-issued identification with them and will always be truthful if asked questions. The inspecting minor is always accompanied by an adult inspector.

Following the compliance inspection, the business will receive a letter within two days letting them know about the outcome of the inspection. **Many businesses do not know they have been inspected until they receive the letter.**

If tobacco is sold to a minor during an inspection, the seller (the employee who sold the tobacco) will personally receive a \$100 fine that must be paid within 10 days. The seller will be fined \$100 each time they make a sale to a minor.

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## **CONTINUED: I Had a Non-compliance Inspection**

Businesses are notified of each violation of the seller. Upon the employee's first violation, businesses are given a warning. If there is a second violation within two years, the business will be fined \$200 if they cannot provide documentation that the business trained the employee on the prohibition to sell tobacco to minors. Further violations can include a revocation of the Tobacco Permit and stiffer financial penalties for the business. Business must pay their fines in full before they can renew their permit annually.

Employees who have not received training on Idaho's Prevention of Minors' Access to Tobacco Products law should speak with their employer immediately! The outcomes of non-training can cost both employee and employer. You can access training at [www.preventthesale.com/Idaho](http://www.preventthesale.com/Idaho) under "Resources" and download the training presentation. You can also review the helpful information throughout the Prevent The Sale website to familiarize yourself with all aspects of the law.

Selling tobacco to Idaho's youth hurts everyone. Avoid fines for yourself and your employer by being committed to protecting Idaho's youth. Be sure to follow the law and say, "No" each and every time a minor asks to purchase tobacco.

## **Don't Forget To Renew Your Tobacco Permits**

You have until December 31, 2017 to renew your tobacco permit, which is Tobacco FREE and REQUIRED by law for all tobacco vendors in the state of Idaho. You may renew your permit online NOW at <http://www.tobaccopermits.com/idaho/>. A valid email address is required to obtain or renew a tobacco permit. If that's a problem for you, call 208-334-0642.

The Idaho Code for tobacco sales states: "The sale or distribution of tobacco products without a permit shall constitute a misdemeanor punishable by imprisonment not exceeding six (6) months in the county jail, a fine of three hundred dollars (\$300), or both. If the sale or distribution of tobacco products was to a minor, the fine shall be no less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000)."

**Happy Thanksgiving!**



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### **What's inside?**

- Proposed Tobacco Permit Fee
- Did You Fail Your Inspection?
- Renew Tobacco Permits

**PLEASE DISTRIBUTE TO EMPLOYEES**