



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 19, Issue 2  
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## 2020 FACTS AND STATS

Compliance Grade:  
**A**

Calendar Year 2019

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.

How well did Idaho Tobacco Retailers comply with the law?

- 1663 Tobacco Retailers were inspected.\*
- 92 Tobacco Retailers sold to the inspecting minor.
- The compliance rate for the last six months was 94.47%

**WELL DONE!**

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

## Idaho's Tobacco Law: What You Need to Know

What do you need to know about selling tobacco in Idaho? Here is a review of a few things to remember:

1. Currently, Idaho law states that is illegal to sell tobacco products to persons under 18 years of age. However, Federal law has recently raised the legal age to purchase tobacco to persons over the age of 21. ***Idaho is expecting that all tobacco retailers comply with the Federal age law until such time that Idaho's code can be modified.***
2. How does Idaho law currently define a "Tobacco Product?"
  - A "Tobacco Product" is any substance that contains tobacco including, but not limited to, cigarettes, cigars, pipes, snuff, smoking tobacco, tobacco papers or smokeless tobacco.
  - "Electronic cigarettes" are defined under the code as any device that can provide an inhaled dose of nicotine by delivering a vaporized solution. "Electronic cigarette" includes the components of an electronic cigarette including, but not limited to, liquid nicotine.
3. It's against the law to sell, distribute or offer tobacco products to a minor. Check photo identification to ensure the customer is of legal age to purchase tobacco. Selling tobacco to a minor can result in a clerk being personally fined \$100 and retailers being fined as well. More information about the civil penalties for violation of Idaho's tobacco law can be found in section 39-5708 of [Idaho code](#).
4. State inspections can occur at any time, without warning, to ensure compliance with the state law. In addition, unless a store sells only tobacco products, all tobacco sales must be vendor-assisted. This means customers must ask a clerk to access tobacco products for them, and the tobacco purchase must be completed before the customer can handle the tobacco product. 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.
5. Idaho law requires that any retailer wishing to sell tobacco to the public must obtain an Idaho Tobacco Permit. Go to [tobaccopermits.com/Idaho](http://tobaccopermits.com/Idaho) to get started or send a "Contact Us" email to request assistance or ask questions.

To become fully educated on Idaho's tobacco law, you can download a copy of Idaho Code 39-5700 and Administrative Rule 16.07.25 at [PreventTheSale.com](http://PreventTheSale.com).

## Getting the Most Out of Our Newsletter

Our monthly newsletters contain the latest tobacco retailer information and helpful resources and reminders to assist both tobacco retailers and their employees navigate the sale of tobacco in Idaho. We encourage you to visit the newsletter archive at [preventthesale.com](http://preventthesale.com) to review newsletters dating back to 2002. We also suggest getting the most out of our monthly newsletters by:

1. Having employees read the newsletter each month as part of ongoing training. This ensures all employees are up to date with the latest Idaho Tobacco Inspection news. Some retailers have their employees initial the top of the newsletter as evidence of ongoing training.
2. Utilizing the information found at [Preventthesale.com](http://Preventthesale.com). Each month we highlight the Prevent the Sale website which is a valuable tool for information, training, and interactive games to educate employees and provide resources to retailers.
3. Reaching out to us with any questions you might have. There is a “contact us” number on the newsletter in case retailers or employees have questions. We are also happy to take suggestions for future newsletter topics retailers would find helpful.
4. Encouraging employees to complete games or quizzes provided in the newsletters. This can be a fun way to encourage learning and open dialog about potential questions or concerns employees have about following Idaho’s tobacco laws.

## 2019 National Youth Tobacco Survey: E-Cigarette Data

“FDA and CDC released findings from the 2019 National Youth Tobacco Survey. The results show disturbing rates of e-cigarette use among both middle and high school students in 2019, with more than 5 million youth reporting having used e-cigarettes in the past 30 days and nearly one million reporting daily use. While cigarette smoking is at an all-time low among high school students, increases in e-cigarette use have reversed progress made in the decline of overall youth tobacco use. *(Source provided by FDA.gov)*” To find out more please visit the [FDA.gov](http://FDA.gov).

<https://www.fda.gov/tobacco-products/youth-and-tobacco/youth-tobacco-use-results-national-youth-tobacco-survey>



Need information on the Idaho tobacco law, training and point-of-sale resources, information about what IDs look like, a helpful quiz and game to practice when to refuse the sale of tobacco to a customer, and many other resources tailored to Idaho Tobacco Retailers? Check out our website designed just for Idaho Tobacco Retailers: [Preventthesale.com/Idaho](http://Preventthesale.com/Idaho)



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**PLEASE DISTRIBUTE TO EMPLOYEES**