



Contact IDHW's Idaho Tobacco Project at: 208-334-0642
ID Tobacco Project Website: healthandwelfare.idaho.gov/providers
Select the topic "Retailers" then "Idaho Tobacco Project"

2022 FACTS AND STATS

What was the Compliance Grade for last month's state tobacco and electronic smoking device inspections?

Grade **A+**
for
November 2022

According to Idaho Code 39-5701, the Idaho Department of Health and Welfare must inspect each Permitted Retailer that sells tobacco and electronic smoking devices to ensure that it does not sell these products to minors.

How well did these Permitted Retailers comply with the law in November 2022?

- 303 Permitted Retailers were inspected.*
- 2 Permitted Retailers sold to the inspecting minor.
- The compliance rate for November 2022 was

99.34%

WONDERFUL!

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

TIME IS RUNNING OUT ~ RENEW NOW!

There are only a few days left to renew your Idaho Tobacco and Electronic Smoking Device Permit before it expires on **December 31, 2022**. Selling tobacco products or electronic smoking devices without a valid permit is illegal in Idaho. Renew online today for free at TobaccoPermits.com.

We are here to help! Call us at **877-641-4468** and we will help you renew your permit and answer any questions you may have.

No longer need a permit? Let us know right away if you no longer need a permit. Complete the "Contact Us" form on the TobaccoPermits.com or call us at **877-641-4468**. Be sure to specify a reason for your deactivation request: Change of Ownership, No longer selling tobacco or e-device products, Retail location is on an Indian Reservation, Out of Business, or Other Reason.

Understanding Vendor-Assisted Sales

It is important to understand Idaho Code 39-5706 to ensure your retail stores follow Idaho's vendor-assisted sales laws.

- **Vendor-Assisted Sales:** Idaho Code 39-5706 (1) says it is illegal to sell or distribute tobacco products or electronic smoking devices by any means other than *"vendor-assisted sales where the customer has no access to the product except through the assistance of the seller."*

This means ~ the customer, no matter their age, cannot handle tobacco products or electronic smoking devices until the final sale of those products has been made.

- **Self-Service Displays and Vending Machines:** Idaho Code 39-5706 (2) says it is illegal to *"sell or distribute tobacco products or electronic smoking devices from vending machines or self-service displays."*

This means ~ tobacco products and electronic smoking devices must be out of the reach of the customer until final sale is completed. A **physical barrier** must exist between the customer and the tobacco products and electronic smoking devices.

Understanding Vendor-Assisted Sales Continued...

Examples of **physical barriers** may include placing products behind the counter or in a locked cabinet accessible only by store employees. This also means a clerk cannot hand tobacco products or electronic smoking devices to the customer and allow that customer to carry those products to another register to pay.

- **Some retailers are EXEMPT from Idaho Code 39-5706:** If you have a retail business that “sells tobacco products or electronic smoking devices comprising at least seventy-five percent (75%) of total merchandise” then that retailer is “exempt from requiring vendor-assisted sales,” but **only if** “minors are not allowed in the store and such prohibition is posted clearly on all entrance doors.”

Your Friendly Reminder Checklist for the Upcoming New Year

Now is a great time to make sure you and your employees are ready to sell tobacco products and electronic smoking devices in the New Year.

Below is a checklist that will get you started. While this checklist may not cover everything you would do to prepare and be well trained for the New Year, it is a good place to start:

- ___ Have you renewed your Idaho Tobacco and Electronic Smoking Device Permit?
- ___ Are you in compliance with the [Idaho Tobacco and Electronic Smoking Device laws](#)?
- ___ Have you conducted an annual training review with your retail staff on the latest laws and store policies?
- ___ Is your retail staff well trained and prepared for an inspection?
- ___ Are your tobacco products and electronic smoking devices displayed in accordance with Idaho’s laws?
- ___ Have your retail employees signed the [Department of Health and Welfare Employee Training form](#)?
- ___ Have you and your employees visited the Prevent-The-Sale training websites provided by the state? Check out the links below for helpful resources.

Prevent-The-Sale!

Idaho Tobacco Retailers have two resources for Prevent-The-Sale content: Visit Idaho’s Department of Health and Welfare’s official [Idaho Tobacco Project-Prevent The Sale](#) webpage for statewide information. Visit Idaho Tobacco Projects interactive website [Preventthesale.com](#) for interactive and evolving content, including newsletter archives, information on IDs, and downloadable resources and documents. This site has new material available for download!



Wishing you Happy Holidays and a Wonderful New Year!



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PLEASE DISTRIBUTE TO EMPLOYEES