



Contact IDHW's Idaho Tobacco Project at: 877-641-4468  
ID Tobacco Project Website: [healthandwelfare.idaho.gov/providers](http://healthandwelfare.idaho.gov/providers)  
Select the topic "Retailers" then "Idaho Tobacco Project."

Volume 22, Issue 11  
November 2023

### 2023 FACTS AND STATS

**What was the Compliance Grade for state tobacco and electronic smoking device inspections?**

**Grade A  
for  
October 2023**

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 October 2023?

- 147 Permitted Retailers were inspected. \*
- 4 Permitted Retailers sold to the inspecting minor.
- The compliance rate for October 2023 was:

**97.28%**

### **WOW! GREAT JOB!**

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

### **Renew Permits Now!**

Renew your Idaho Tobacco and Electronic Smoking Device Permits before they expire on **December 31, 2023**. Permit renewal can be done online for free on the ITP homepage at [TobaccoPermits.com](http://TobaccoPermits.com) or renew by phone at **877-641-4468**. We are here to help you! Reach out by phone or through the "[Contact Us](#)" feature on the ITP homepage for assistance or questions.

#### **No longer need a permit?**

Send us an email via the "[Contact Us](#)" feature on the ITP homepage and request your permit be inactivated or give us a call at **877-641-4468**. Please provide one of the following reasons:

- Change of Ownership
- No longer sell tobacco or e-device products
- Retail location is on an Indian Reservation
- Out of Business, or
- Other – Please specify.

### **Idaho Tobacco Project's Resources Help Educate Retailers**

The Idaho Department of Health and Welfare's [Idaho Tobacco Project](#) (ITP) and the [FDA](#) have resources available to Idaho Tobacco and Electronic Smoking Device Retailers that can assist in training employees on the proper and legal way to sell tobacco products and electronic smoking devices to customers over 21. These resources also assist Retailer's in understanding the legal requirements of selling these products to the public.

#### **ITP's Employee Training Form**

The ITP provides an [Employee Training Form](#) that all employees should read, initial, and sign. This form can be used as part of employee onboarding, as well as, an ongoing training tool. All clerks who sell tobacco products and electronic smoking devices to the public should be aware of the current laws regarding youth access to these products in Idaho. Retailers are encouraged to keep these Employee Training Forms with their employee records and use the form as part of the Retailer's annual refresher training activities.

## Do your clerks understand the basics?

- State law prohibits the sale of ANY tobacco products or electronic smoking devices to persons under 21 years of age and that verification of age is required for any sale of tobacco products.
- Clerks should always ask for photo identification from any persons not personally known to be at least 21 years of age and verify their age before a sale of tobacco products or electronic smoking devices.
- Sales of tobacco products or electronic smoking devices to anyone under the age of 21 can result in a personal fine to the clerk of \$100 for the first offense.
- “Tobacco products or electronic smoking devices” includes any substance that contains tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means. These may include, but are not limited to the following: cigarettes, cigars, pipes, snuff, smoking or chewing tobacco, snus, tobacco papers, smokeless tobacco, any substance intended to be aerosolized or vaporized regardless of whether or not it contains nicotine, an electronic smoking device that may be used to deliver an aerosolized or vaporized substance, or any component of an electronic smoking device.
- The store may be inspected at any time for compliance with the state law regarding underage access to tobacco products and electronic smoking devices.
- All sales must be “vendor assisted” unless the store is exempt from this requirement and has 75% of the total merchandise available for sale as tobacco products or electronic smoking devices.
- Cigarettes must be sold only in their original sealed package from the manufacturer.

To get more detailed information, download a copy of the [Idaho Code 39-5700](#) and keep a copy for your records.

## Why do we provide these resources?

[Studies show](#) that nicotine addiction originates in adolescents with close to 90% of adult daily smokers starting before the age of 18. In addition, teens have been shown to be more susceptible to addiction. If we can prevent the sale of tobacco and electronic smoking devices to young people, we can prevent the health devastation that comes with long term use of these products.

Idaho is committed to preventing the sale of tobacco and electronic smoking devices to youth, which is the reason for the enforcement efforts and penalties when laws are ignored. Running a retail business is not always easy. So, during this season of gratitude and thanksgiving, the Idaho Tobacco Project says, **“Thank you!”** for your continued partnership in ensuring that no customer under 21 can purchase tobacco products or electronic smoking devices from your retail store.

## 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!



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**PLEASE DISTRIBUTE TO EMPLOYEES**