



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

Contact us: 208-334-6542

ID Tobacco Project Website: [healthandwelfare.idaho.gov](http://healthandwelfare.idaho.gov)  
Select the "medical" menu and then "Idaho Tobacco Permits"

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### Facts and Stats

#### "A" 6-month Average Jan to June 2014

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. January to June 2014:

- 913 Vendors were inspected.\*
- 67 Vendors sold to the inspecting minor.
- The compliance rate for the month was 92.66%

\*Inspections where purchase attempts were made.

### Prevent the Sale Website

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

- Learn about the law
- Take the tobacco quiz
- See what the IDs look like
- Play the Game "Would You Sell to This Person"

### The FDA's Control of E-cigarettes

#### FDA Inspections in Idaho

The FDA is conducting Undercover Buy (UB) and Advertising and Labeling (A&L) inspections in Idaho. These inspections are different from state enforcement inspections and are conducted by FDA Commissioned personnel. Retailers should expect their businesses to be inspected multiple times per year (at least two UBs and two A&Ls per year).

In addition, Idaho's enforcement of its Prevention of Minors Access to Tobacco law will continue. A Retailer could be inspected two or more times per Idaho code. Therefore, Retailers should continue efforts to ensure their staff are properly trained to prevent the sale of tobacco to minors and that tobacco placement and labeling follows both Idaho code and FDA regulations.

For assistance from the FDA with regard to federal tobacco regulations please call 1-877-CTP-1373. For information on Idaho's laws go to [Preventthesale.com](http://Preventthesale.com) or call the Idaho Tobacco Project at 208-334-6542.

#### FDA Wants More Power

FDA wants to extend its authority over to tobacco products to include electronic cigarettes, cigars, pipe tobacco, some smokeless tobacco, gels, and water pipe tobacco. As a major public health problem, tobacco continues to be the number one leading cause of preventable death. If the proposal is approved, the FDA will be allowed to enforce some powerful regulations on these products as well as scientific reviews of new products and claims.

In 2009, the FDA gained control of the regulation of cigarettes, cigarette tobacco, roll-your-own tobacco and smokeless tobacco products. The new FDA control was part of the Family Smoking Prevention and Tobacco Control Act signed by the president. Under this Act, the FDA protects the public's health through the oversight of the manufacture, distribution, and marketing of tobacco products.

#### Television's Influence

Studies of the top broadcast network TV shows aimed at kids found that 34 percent contained some sort of actual or implied tobacco use. The researchers claim that, based on a sizable viewing audience that translates into about 59 million tobacco images and/or messages, 16 million images of actual tobacco use, and three million images of tobacco brands every week.

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## You Need to Know the Law about Selling Tobacco

By law, any employee who sells tobacco must sign a Department of Health and Welfare form indicating that they understand the state law's requirements. Keep updated on the law at <http://www.preventthesale.com/idaho/law.htm>.

### Here's what you should know:

It is illegal to sell tobacco products to persons under 18 years of age. Tobacco products include, but are not limited to:

- Cigarettes
- Cigars
- Pipes
- Snuff
- Loose leaf tobacco
- Smokeless tobacco
- Tobacco papers

-It's 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. 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.

- To learn more about Idaho's Tobacco Project and training requirements, contact the Idaho Tobacco Project at 208-334-6542.



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**PLEASE DISTRIBUTE TO EMPLOYEES**

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