

What States Are Doing to Restrict Tobacco Sales to Minors

By Cheryl Dudley

Facts and Stats

Average for June B

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. For June, 2004:

- ❖ 63 Vendors were inspected.*
- ❖ 10 Vendors sold to the inspecting minor.
- ❖ The compliance rate for the month of June 2004 was 84.13%.

*Inspections where purchase attempts were made.

All States Have Laws Regarding the Sale of Tobacco to Minors

Restricting youth access to tobacco products is a nationwide goal. While states impose different fines and penalties for the sale and use of tobacco by minors, compliance checks are proven to be most effective.

All 50 states and the District of Columbia prohibit the sale of tobacco products to minors. Idaho is one of ten states that restrict access to tobacco products. Here is an overview of what Idaho and other states are doing to restrict tobacco sales to minors:

- 44 states impose penalties on minors for tobacco-related offenses.
- 33 states prohibit minors from possessing any tobacco products
- 18 states, including Idaho, have language banning the use of tobacco products by minors.
- 25 states order minors to perform community service, pay a fine, or both, if caught with tobacco.
- 8 states may even suspend

the driver's license of the minor who violates the tobacco laws.

- 14 states may require minors to attend classes on smoking cessation, and health awareness.
- 9 states including Idaho require cigarettes to be sold in a sealed package that is provided by the manufacturer and that contains the health warning required by federal law.
- Idaho and Vermont prohibit tobacco vending machines.
- The licensing laws in 24 states including Idaho contain provisions that penalize a licensee who furnishes tobacco products to minors by a possible suspension or revocation of their license for multiple offenses.

By working together and incorporating the most effective prevention techniques, states can reduce the number of minors who have access to tobacco. Reducing the access to tobacco can result in fewer addicted smokers and fewer tobacco-related diseases and deaths. Tobacco vendors can play a powerful role in this important task.

What states are doing continued

It's a Good Idea to Know the Law

Idaho law is clear regarding the sale of tobacco. Citations and fines for violation of the law are currently issued to businesses and their employees under three Idaho codes:

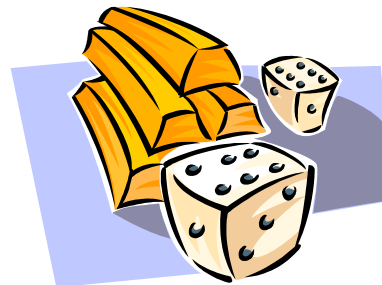
39-5705, which makes it unlawful to sell, distribute, or offer tobacco products to minors;

39-5706, which makes it unlawful to sell or distribute tobacco products by any means other than vendor assisted sales; sell or distribute tobacco products from a vending machine; and/or sell or distribute tobacco products from self-service displays, and

39-5707, which makes it unlawful to sell or distribute tobacco products for commercial purposes other than in the federally required sealed package provided by the manufacturer with all the required warning labels and health warnings, and/or sell or distribute tobacco products for free or below cost.

Your knowledge of the tobacco laws will not only make it easier to avoid citations and fines, but will assist you in your efforts to prevent the sale of tobacco to minors.

Don't Take a Gamble—Know the Law



Visit Our Website!

Go to:

www.preventthesale.com/idaho

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

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◆ PLEASE DISTRIBUTE TO EMPLOYEES