

TOBACCO RETAILERS



HOW TO AVOID FINES & PENALTIES
WHEN SELLING TOBACCO & VAPES

INFORMATION KIT



Partners4Wellness

Formerly **NCADD OC** Same Agency • New Name • Expanded Services

ABOUT Partners4Wellness

Partners4Wellness formerly National Council on Alcoholism and Drug Dependence - Orange County (NCADD-OC) is a non-profit, community-based organization that provides professional resources on alcohol, tobacco, and drug-related issues.

Since 1957, we have provided high-quality programs and services aimed at improving the quality of life for the residents of Orange County.



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Tobacco Prevention and Cessation projects are made possible by Tobacco Settlement Revenue Funds administered by the County of Orange Health Care Agency/Tobacco Use Prevention Program

TABLE OF CONTENTS

INTRODUCTION

LETTER OF COLLABORATION

KNOWING THE LAWS & PENALTIES

FDA TOBACCO LAWS

FDA Laws Overview

CALIFORNIA TOBACCO LAWS

Minimum Sale Age and Electronic Smoking Devices

California Tobacco 21 Laws

Self-Service Displays

Licensing Requirements

Tobacco Products

Tobacco Paraphernalia

Summary of Changes to Tobacco Retail Laws

Smoke-Free Workplaces

California Clean Indoor Air Laws

Minimum Age to Sell Tobacco Products

Cigarette and Tobacco Products Retailer's License

Licensing Fees - Special Notice

CDTFA Contact Info

RETAILER BEST PRACTICES

HOW TO AVOID FINES & PENALTIES

Tips for Retailers

Checking Identification

ADDITIONAL RESOURCES

FREQUENTLY ASKED QUESTIONS

California Tobacco Control Branch: Retailer Tobacco Laws- FAQ

NEED MORE INFORMATION?

01

02

03

04

05

06

07

07

08

09

10

14

15

17

18

19

20

21

22

24

25

26

27

35

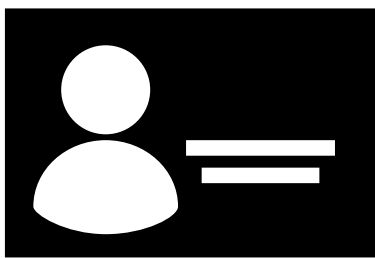


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FDA TOBACCO LAWS OVERVIEW

FDA RULES FOR CIGARETTES, CIGARETTE TOBACCO, AND ROLL-YOUR-OWN (RYO) TOBACCO SALES



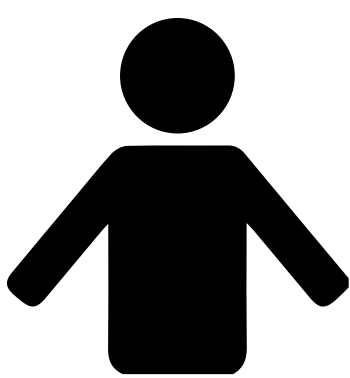
CHECK

photo ID for everyone who looks to be under the age of 27 who attempts to purchase cigarettes, cigarette tobacco, or roll-your own (RYO) tobacco.



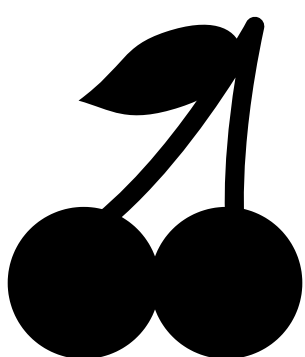
ONLY

sell cigarettes, cigarette tobacco, or RYO tobacco to customers 21 and older.



ONLY

sell cigarettes, cigarette tobacco, and RYO tobacco in a direct face to face exchange.



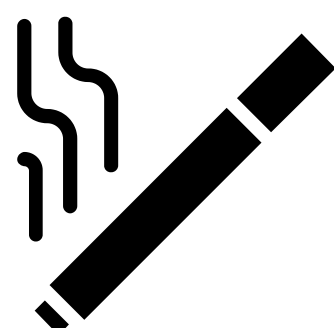
DO NOT

sell flavored cigarettes, flavored cigarette tobacco, or flavored RYO tobacco.



DO NOT

give away free sample of cigarettes, cigarette tobacco, or RYO tobacco, including any of their components or parts.



DO NOT

sell cigarette packages containing fewer than 20 cigarettes or single cigarettes, known as "loosies".



RETAILER REQUIREMENTS

MINIMUM SALE AGE AND ELECTRONIC SMOKING DEVICES **21**

In California, it is illegal for retailers and clerks to sell tobacco products to anyone under the age of 21. This law applies to the sale of traditional tobacco products like cigarettes as well as to the sale of electronic smoking devices like e-cigarettes and tobacco products paraphernalia.

As of December 20 2019, there is no longer¹ an exemption in the law for sales for military personnel under the age of 21.

A retailer caught selling a tobacco products to anyone under the age of 21 will be subject to fines and potentially jail time.

Tobacco Sales

It is ILLEGAL to sell tobacco products or paraphernalia to any person under 21 years of age. Tobacco products include electronic smoking devices, atomizers, vaping tanks or mods, and e-liquids.

- Retailers can accept only a valid, unexpired governmental-issued photo ID (driver's license, state ID, passport).



**The Sale of
Tobacco Products
or Electronic
Smoking Devices
to Persons Under
21 is Prohibited**

Federal law states that retailers **MUST** check ID for tobacco products purchasers who appear to be younger than 27 years old.

California Tobacco 21 Law

ATTENTION RETAILERS!

Under the STAKE Act, retailers **MUST** post the new Age-of-Sale Warning Sign, which states that the minimum sale age is 21 years, at each cash register where tobacco sales are made. Retailers must also display state and local tobacco retail licenses.

As of **December 20, 2019**, the federal age of sale for tobacco products is 21, with no exemption for military personnel.

Please visit the Food and Drug Administration website "This is Our Watch" for more information and to obtain free resources.

California State Law requires the sign below to be conspicuously posted at each cash register where tobacco/vape products are sold.

It must be placed where customers notice the sign and can easily read it.

Failure to post this sign subjects retailers to fine or incarceration, per California Penal Code Section 308[c] and Business Professions Code Section 22952.³

The Sale of Tobacco Products to Persons Under 21 Years of Age Is Prohibited by Law and Subject to Penalties

**To Report an Unlawful Tobacco Sale Call
1-800-5 ASK-4-ID**

Valid Identification May Be Required

Business and Professions Code Section 22952 21 U.S.C 387f(d)

This sign must be readable by the consumer and must not be altered, covered or obliterated in whole or in part



- Open camera or QR code reader on your smartphone.
- Hold your smartphone over QR Code so that it's clearly visible within camera screen.
- Look for the notification banner or tap to trigger code's action.

3. Stop Tobacco Access to Kids Enforcement [STAKE] Program of the Food and Drug Branch. Available at <https://www.cdph.ca.gov/pubsforms/Documents/CaliforniaPenalCodes308-308b/pdf> or https://www.cdph.ca.gov/Programs/CCDPHP/DCDIC/CTCB/CDPH%20Document%20Library/Tobacco21Law/Tobacco_21_Sticker_Download.pdf

NEED MORE INFORMATION?

**PLEASE REACH OUT IF YOU ARE INTERESTED IN THE
TOBACCO & VAPE TOOLKIT OR IF YOU HAVE ANY QUESTIONS**

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