

Tips for Retailers

How to Comply with California Law and Avoid Fines & Penalties



Points to Remember



- Preventing sales to persons under the age of 21 depends on commitment and action by YOU and YOUR EMPLOYEES.
- Tobacco laws are being enforced and an illegal sale to a person under 21 years old will cost you!
- Make sure your employees are trained and monitored to help avoid illegal sales and fines.
- It is your responsibility to review and comply with local, state, and federal laws regarding tobacco sales.

1 Educate yourself and your employees about the laws and penalties

- Develop and follow store policies
- Train and monitor your clerks
- Post the required STAKE Act age-of-sale warning signs
- Obtain and display your tobacco license



Develop Store Policies

- Develop a written company policy that employees must read and sign, which should include requiring employees to:
 - Ask for valid government-issued photo ID and to check the age of anyone who looks younger than age 27
 - Regularly review local, state, and federal laws regarding tobacco sales, including newer regulations on minimum sales age and electronic cigarettes

2



3

Train Your Employees

- Ask for ID from anyone who looks younger than age 27
- Accept only valid government issued IDs
- CHECK the age on the ID to confirm the customer is age 21
- Check for expiration dates on various IDs (other state IDs or international passports)
- Check if the ID picture matches the person
- Train employees how to refuse a sale
- Make sure employees know about and can identify any electronic cigarettes/vapes/e-liquids that your store sells



Remind Your Employees to Follow Store Policies

- Emphasize that checking IDs is necessary — no matter how many people are in line
- Checking ID for cigarettes is the same as for alcohol sales, age 21
- Remind your employees that state and local enforcement agencies do tobacco compliance checks
- Caution employees that store owners AND clerks can be cited, which may result in a fine and criminal record

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Use Reminders and Other Aids

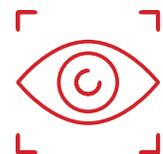
- Post Age-of-Sale Warning Signs
- Place calendars and other age-of-sale reminders by all registers to assist clerks in calculating age when needed
- Use register screen pop-ups as reminders to check age
- Install electronic scanning devices or other age verification devices, and teach employees how to use them and NOT to turn them off!



Monitor Your Employees

- Observe your clerks and give prompt feedback on what they are doing right and what they are doing wrong
- Do periodic secret shopper programs to check on your store's compliance
- Follow through with rewards and corrections

6



7 Tips on Training

Identification

Age Verification

- The easiest way to check a person's age is to ask for and check their California driver license, California identification card or government issued identification.

Fake ID's, Look for These Clues:

- Has the ID expired?
- Does the photo match the person?
- Does the ID look altered?
- IDs with holes, glue lines, bumpy surfaces, or other signs of tampering should not be accepted.



← Under 21

21 or Over



IMPORTANT: If you are not sure the ID is valid, refuse the sale.

Refusing a Sale

What to Say

- "I'm sorry. It's against the law."
- "I'm sorry. I can't sell tobacco products without a picture ID."
- "I'm sorry. It's store policy to check IDs."
- "I could be fined if I break the law."

Refusing a Sale to a Friend Under 21 Years of Age

- It's especially hard to tell a friend who is under 21 that you aren't able to sell tobacco to them, but it's important
- Here is what to do:
- Using a friendly tone, tell your friend, "I'm sorry. It's against the law. I could be fined and even lose my job if I sell to you."

What to Do

- After politely refusing the sale, remain calm
- If a customer insists or becomes argumentative, contact your supervisor
- If the customer takes the product, leaves money, and runs away, DO NOT RING UP THE SALE. Treat it as a theft and report the incident

IMPORTANT: Include time for clerks to practice calculating the age and ways to refuse a sale.