



Tobacco Retailer Kit

Dear Retailer,

We know that tobacco use is the number one preventable cause of death and disease in Michigan, and that the majority of smokers start before they are 18 years old. We also know that the earlier a person starts using tobacco, the harder it is to quit. For these reasons the Michigan Department of Community Health is focusing its attention on the prevention of tobacco sales to minors.

In an effort to help you comply with the Michigan Youth Tobacco Act we are providing you with our new Tobacco Retailer kit. We all benefit from your compliance with the law and we want to work with you to make it as easy as possible. Provided in this kit is an example of a store policy, an example of a management notice to employees, tips for employee training, an example of an employee agreement, a copy of the Youth Tobacco Act (YTA) and two sizes of the required YTA sticker.

In addition, we are also providing free consultation to those who would like help setting up store policy and training employees. To set up a consultation please call the MDCH at 517-335-8386.

The law requires that the new Michigan Youth Tobacco Act warning sticker be displayed near each point of sale. This sticker has been included in the kit for your convenience. If you would like to order additional YTA stickers, call 1-800-537-5666 or fax in your order at 1-517-882-7778, including size and quantity needed.

Help us protect the health of Michigan's children. Carefully check photo ID, and obey the law.

We appreciate your continued cooperation in this important matter.

Sincerely,

Janet Olszewski
Director



Examples of: Policy Regarding Tobacco Sales

It is the policy of this store to obey and uphold Michigan laws regulating the sale of tobacco products to persons under 18 years of age. This policy includes the following rules regarding the sale of tobacco products:

1. No sale of tobacco products to any persons under the age of 18.
2. If the person appears to be under 27, ask for valid photo identification. Valid photo identification means a driver's license, Michigan I.D. card or military I.D. If there is any doubt about a person's age, do not make the sale.
3. No sales of tobacco to any adult for use by underage individuals.
4. Employees will not accept a note (or any other implied permission) from any person under the age of 18.

In turn, management agrees to:

1. Train all employees regarding tobacco distribution laws.
2. Support the judgement of employees in not making sales in any of the above cases.
3. Conduct spot checks to document compliance with the law.
4. Post warning signs against the sale of tobacco products to minors in accordance with the Youth Tobacco Act.



Tips for Employee Training

1. Issue a directive alerting employees that your store will not sell tobacco products to any one under the age of 18, including cigarettes and smokeless tobacco.
2. Require your employees to request valid photo identification for anyone purchasing tobacco who appears to be under the age of 27. Valid photo identification means a driver's license, Michigan I.D. card or military I.D.
3. As required by law, post a copy of the Youth Tobacco Act (YTA) sticker in your store in a conspicuous location, such as on store doors, cash registers, and wherever tobacco products are displayed. (Copies of the YTA sticker are included in this packet). Inform your employees of where the YTA sticker is posted.
4. Distribute a copy of the state law to all employees (a copy is included in this packet). Review the law and your store policy with your employees. Request their signatures acknowledging their understanding of the law, and your store policy.
5. Inform your employees that failure to adhere to store policy could result in disciplinary action. Periodically review with employees the law and store policy.
6. Inform your employees that they can be fined up to \$50 for each offense for selling tobacco to minors. Court costs and attorney fees can add about \$550 to this amount.



Example of Directive to Employee:

MANAGEMENT'S NOTICE TO EMPLOYEES

Studies show that minors easily buy tobacco products even though State Law prohibits sales to anyone under the age of 18. To stop the sale of tobacco to minors, and to comply with State Law, the following policy is effective immediately:

THIS COMPANY WILL NOT SELL CIGARETTES, CHEWING TOBACCO, SMOKELESS TOBACCO OR SMOKING PARAPHERNALIA TO ANYONE UNDER THE AGE OF 18.

YOU CAN BE FINED \$50 PLUS COURT COSTS AND FEES FOR SELLING CIGARETTES, CHEWING TOBACCO, SMOKELESS TOBACCO OR SMOKING PARAPHERNALIA TO ANYONE UNDER THE AGE OF 18.

You must request valid photo identification for anyone attempting to purchase tobacco products who appears to be under the age of 27.

A clerk who sells tobacco products to a minor is subject to fines of up to \$50 for each offense, plus court costs and attorney fees.

If a customer complains about this policy, please explain that State Law prohibits the sale of tobacco products to those under the age of 18, and therefore we refuse to sell to minors.

A copy of the law is posted near the cash register. Please read the law carefully. If you have any questions, please confer with your supervisor.

Failure to adhere to store policy will result in disciplinary action.



Example of: Employee Agreement

I understand that the Michigan Youth Tobacco Act prohibits the sale of tobacco products to persons under 18 years of age. I have reviewed the materials regarding the sale of tobacco products to minors and the store policy, and understand that failure to adhere to store policy could result in disciplinary action, including loss of my job, as well as the imposition of a fine, court costs and attorney fees.

I agree to the following rules and company policy about the sale of tobacco products:

- I will not sell tobacco or tobacco products (pipes, cigarette paper or similar items) to any person under the age of 18.
- If the person appears to be under 27, I will ask for identification. If there is any doubt about the person's age, or the legitimacy of their identification, I will not make the sale.
- I will not knowingly sell tobacco to any adult for use by individuals under the legal age. If I think this is happening I will not make the sale.
- I will not accept a note (or any other implied permission) from any person under the age of 18.

In turn management agrees to support my judgment in not making sales in any of the above cases.

Employee's signature

Date

Store manager's signature

Date

(This agreement will be maintained in our personnel file as part of your permanent employee record.)



Potential Costs for Selling Tobacco to Minors

A person who sells, gives, or furnishes any cigarette, cigar, chewing tobacco, tobacco snuff, or tobacco in any other form to a person under 18 years of age:

- Is guilty of a misdemeanor
- Can be fined up to \$50.00 for each offense
- Will incur \$200.00 in court costs
- Will incur approximately \$350.00 in attorney fees

**For a potential cost of
\$600 for each occurrence.**

A person who sells cigarettes separately from the package at retail except in tobacco specialty retail stores:

- Is guilty of a misdemeanor
- Can be fined up to \$500.00 for each offense
- Will incur \$200.00 in court costs
- Will incur approximately \$350.00 in attorney fees

**For a potential cost of
\$1050 for each occurrence.**

ATTENTION: If your store also sells alcohol, violations of the Youth Tobacco Act can lead to notification of the Liquor Control Commission and additional fines.



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