

S.H.O.W. M.E.

IDs

**Keeping Tobacco Away from Boone County Youth:
An Informational Packet for Tobacco Retailers**



Designed by TownMapsUSA.com



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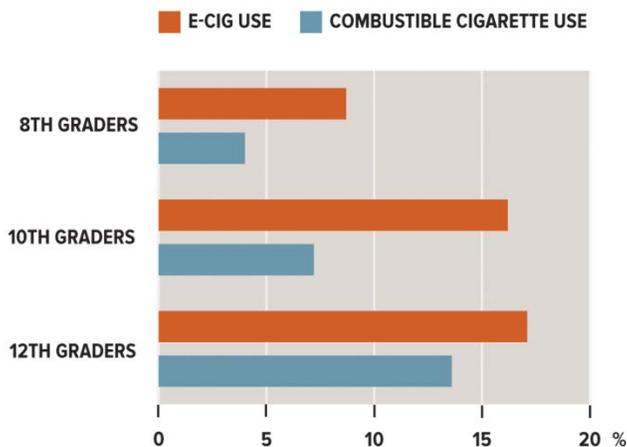


Overview of information

1. 95% of adults started smoking before the age of 21.¹



2. Each year, 4,800 adolescents under the age of 18 become addicted to tobacco.²
3. 9.6 million packs of cigarettes are purchased and consumed by Missouri adolescents each year.³
4. 128,000 children in Missouri smoke, and will die premature deaths due to smoking.⁴
5. Smoking rates are on the decline. You can be part of this movement!
6. Exposure to E-cig rates are on the rise – help prevent youth from addiction.⁵



¹ <http://kidshealth.org/parent/positive/talk/smoking.html>

^{2,3,4} http://www.tobaccofreekids.org/facts_issues/toll_us/missouri

⁵ <http://www.cdc.gov/media/releases/2015/p0416-e-cigarette-use.html>

Legal Information

1. **City of Columbia ordinance:** It shall be unlawful for any person to sell tobacco products or tobacco product paraphernalia, alternative nicotine products or vapor products to a minor, any person under the age of 21 years.
2. Restricted items include:
 - **Cigarettes**
 - **Cigars**
 - **Smokeless tobacco (dipping tobacco, chewing tobacco, snuff)**
 - **Pipe tobacco**
 - **Cigarette papers/rolling papers made from tobacco leaves**
 - **Vapor products (electronic cigarettes, electronic cigars, electronic cigarillo, electronic pipe, or any other similar product)**
 - **Vapor cartridges or liquid nicotine containers, often referred to as “e-juice”**



- **City Violations**

<i>Violations within 24 months</i>	<i>Fines</i>
1st violation	\$100.00
2nd violation	\$250.00
3rd violation	\$500.00
4th and any additional violation	\$1000.00

3. Boone County Tobacco ordinance: it is unlawful for retailers outside of the city limits to sell tobacco products, paraphernalia, and/or vapor products to anyone under the age of 18.

4. FDA violations⁶- It is unlawful for any and all retailers to sell tobacco products, paraphernalia, and substances containing nicotine to minors under the age of 18 according to The Family Smoking Prevention and Tobacco Control Act of 1994.

- No Tobacco Sale-Order (NTSO) penalties result in losing money and customers by preventing sale of tobacco products.

<i>5 violations within 3 years</i>	<i>NTSO penalty</i>
1st violation	30 day NTSO ban
2nd violation	6 month NTSO ban
3rd violation	Indefinite NTSO ban

- **FDA civil money penalties**

FDA Violations	FDA civil money penalty
One	Warning letter
Two within 12 months	\$250
Three within 24 months	\$500
Four within 24 months	\$2000
Five within 3 year period	\$5000
Six or more within 4 years	\$11,000

- **Penalties and fines for the individual selling to a minor include:**

- i. 1st offense - \$25.00
- ii. 2nd offense - \$100.00
- iii. 3rd and subsequent offense - \$250.00

*When a retailer in Columbia city limits sells to minors 18-21, they are in violation of the City of Columbia ordinance.

*When a retailer sells to minors under 18, they are in violation of the City of Columbia ordinance AND FDA regulations. This can lead to multiple fines.

⁶ <http://www.fda.gov/TobaccoProducts/GuidanceComplianceRegulatoryInformation/ucm232109.htm>

Checking IDs



Use this acronym to help you check IDs!

S – Show ID

- Ask patron to show their ID and make sure it is removed from his/her wallet.

H – Hold

- Hold the ID in your hand. Check for any alterations (eraser marks, text is all the same, date of birth has not been changed, signature is not altered, no bumps/splits on the lamination).

O – Observe

- Make sure the picture matches the person using the ID and watch for poor quality photos. Make sure their height/weight/eye color is similar to what is on their ID.

W – Watch

- Watch the customer for any nervous behaviors, such as fidgeting, fumbling, and becoming defensive when questioned about their ID.

M – Math

- If a scanner system is not available, be able to do the calculation to determine the customer's age. For example: in 2016, anyone born in 1995, after today's date is 21 and can purchase tobacco products in the city limits (take the current year and subtracts 21).

E – Eliminate suspicions

- Eliminate any doubts or suspicions you have about the validity of the customer's ID by asking for another form of ID or asking the customer to verify information on their ID ("What is your date of birth? What is your address? Can you spell your middle name for me?") If you are still suspicious, refuse the sale.

What managers can do

- Post required signs at every display where tobacco is sold stating that all sales are illegal for those under the age of 21 in city limits and under the age of 18 for those outside city limits. No exceptions!



- Ask for IDs. Create a store policy that reprimands employees for failing to ask for IDs.
- Handle underage customers professionally and teach employees how to do the same.
- Stock all tobacco products in areas only available to employees.
- Review tobacco laws and ordinances with employees at least every six months.
- Remind employees to always ask for IDs at the beginning of their shift.
- Make it a daily task to create a sign that displays the date and year the customer must be born on or before in order to legally purchase tobacco products.



⁷ <http://www.riverfronttimes.com/newsblog/2013/01/02/sneak-peek-at-missouris-new-hi-tech-driver-license>

Customer situations

Below are some situations that you may experience during your work day. Use these examples to help keep tobacco away from minors and to avoid consequences of selling to underage customers.

Retrieved from the Division of Alcohol and Tobacco Control Tobacco Merchant Education Training.⁸

1. **Minor attempting to purchase tobacco**
2. **Abusive customer**
3. **Peer pressure**
4. **Adult buying for minor**
5. **Minor buying for adult**
6. **Customer takes the product and leaves money**

1. **Minor attempting to purchase tobacco:** In this situation politely explain the law. Don't accuse them of being underage; this will often start an argument. If they insist that they are of legal age, don't argue with them. Simply inform them that the law requires identification for proof of age. "I'm sorry, but it's against the law. We need to see an ID. I'd be happy to hold this for you while you go get it."
2. **Abusive customer:** Confrontations with customers over age-restricted products may be the most challenging aspect of your job. Knowing which steps you should take when such an incident occurs is critical to properly handling the situation. If a customer starts to argue or becomes abusive, say something such as: "I'm sorry. It's against the law. I can get fined and lose my job. Is there anything else I can get you?"
3. **Peer pressure:** Often friends who are underage will attempt to purchase alcohol and/or tobacco products while you are working. It is important that you refuse these sales. If an underage friend tries to pressure you into making an illegal sale, you should respond with the following: "I'm sorry. It's against the law. I can be fined and even lose my job. The video cameras are on, and we would both get in a lot of trouble."
4. **Adult buying for minor:** Occasionally you will be faced with a situation where a customer over the age of 18 or 21 is buying for a minor. Under the law you are required to verify that the person you are selling to is of legal age. If you have reason to believe that an adult customer is buying tobacco on behalf of a minor, the responsible thing to do is to refuse the sale. "I'm sorry, I saw those kids give you money (or ask for these). I have reason to believe these will be given to a minor. I could lose my job if I make this sale."
5. **Minor buying for adult:** Some parents may send their child to purchase tobacco products for them. In this case, simply explain to the minor that the parent must come and make the purchase. "I'm sorry. Your mother or father must come in to buy this. I could get fined or even lose my job for selling this to you."
6. **Customer takes the product but leaves money:** If you refuse a sale and the customer takes the product but leaves money on the counter, treat it as a theft. Don't ring up the sale. Get a description of the person, and notify your supervisor.

⁸ http://atc.dps.mo.gov/documents/tobacco_merchant_education_training.pdf