



**Southern Providence County
Regional Coalition**

Communities. Prevention. Collaboration.



MAKE A PLEDGE

Best Practices Handbook for Tobacco Retailers

Play a direct role in protecting young people from nicotine addiction and the deadly effects of tobacco use. Learn what you, as a tobacco retailer, can do to comply with Rhode Island and federal laws regarding selling tobacco products to those under age 21.

A LETTER TO RETAILERS

The Southern Providence County (SPC) Regional Prevention Coalition is a federally funded regional coalition of community members who come together with a mission to develop, implement, and advocate for effective community-based prevention initiatives. Working with retailers, such as yourself, is an important part of our mission to reduce underage use of tobacco products.

Retailers play a leading role in keeping youth in Rhode Island tobacco and nicotine free by ensuring tobacco products are not available for sale or distribution to those under age 21. In Rhode Island you are required to be licensed to sell tobacco and electronic nicotine delivery systems (ENDS), and to ensure that none of your employees sell tobacco to minors.

This guide is meant to help you understand what you need to know to be compliant with Rhode Island laws. With your help, we can make a positive impact on our communities.

Thank you,

Southern Providence County
Regional Prevention Coalition



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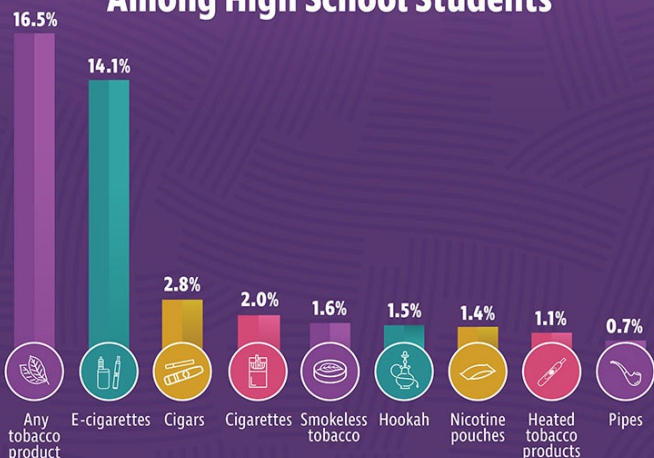
RHODE ISLAND KEY FACTS

In 2019, **33.3%** of Rhode Island high school youth reported currently using any tobacco product, including e-cigarettes.

Among Rhode Island high school youth, **4.2%** reported currently smoking cigarettes.

YRBS, 2019

Current Tobacco Product Use Among High School Students



Learn more: bit.ly/3FZ8mU9

Source: National Youth Tobacco Survey, 2022



[CDC.gov/quit](https://www.cdc.gov/quit)

HOW SMOKING AFFECTS YOUTH

Long-term adult smokers often began smoking as young people—80% began before the age of 20.

Smoking at an early age increases the risk of:

- contracting lung cancer
- developing asthma
- using alcohol and other drugs
- reducing your physical fitness
- developing heart disease and stroke later in life
- dental problems



TOBACCO RETAILERS

We understand the **major responsibilities** that you have as a licensed tobacco retailer.

We have developed this guide to help you to:

- Understand the damaging physical effects of underage smoking
- Educate yourself and your employees about the Rhode Island laws about selling tobacco products to individuals under age 21
- Protect your business from fines, suspensions, loss of license and/or financial losses due to selling tobacco products to underage youth
- Be recognized as a leader/partner in the Southern Providence County Region who is working to reduce sale of tobacco products to individuals under 21 years old



TOBACCO RETAIL POLICY & LEGISLATION

On December 20, 2019, legislation amending the Federal Food, Drug, and Cosmetic Act, raised the federal minimum age for sale of tobacco products from 18 to 21 years. This legislation (known as **“Tobacco 21”** or **“T21”**) became effective immediately, and it is now illegal for a retailer to sell any tobacco product—including cigarettes, cigars, and e-cigarettes—to anyone under 21. The new federal minimum age of sale applies to all retail establishments and persons with no exceptions.

What is the list of tobacco products covered by the new T21 law?

The T21 law applies to sales of tobacco products—including cigarettes, smokeless tobacco, hookah tobacco, cigars, pipe tobacco, electronic nicotine delivery systems including e-cigarettes and e-liquids—to anyone under 21 years of age.

- ⊘ Retailers must not distribute free samples of tobacco products with limited exceptions for smokeless tobacco products.
- ⊘ Must not sell single cigarettes.
- ⊘ Retailers cannot sell flavored, cartridge-based ENDS to anyone—regardless of age
- ⊘ Flavored, cartridge-based ENDS products (other than tobacco—or menthol-flavored ENDS products) should not be offered for sale, displayed for sale or available in any area the public may access.



The Tobacco 21 legislation grants authority to judges to follow through with license suspensions regardless of efforts by retailers to re-educate employees—a previous way to avoid suspension.

The RI Department of Revenue oversees cigarette and other tobacco product licensing, and RI Department of Health administers ENDS licensing.

Both licenses are renewed annually with a \$25.00 fee.

REQUIRED LICENSES

The following are required licenses to sell tobacco products and END products:

TOBACCO LICENSES

Any business that sells tobacco products must have a license from the State Division of Taxation.

tax.ri.gov

Navigate to Forms > Business Tax Form > Sales and Excise Forms > Cigarette Tax Forms

ENDS PRODUCTS LICENSES

Any business or person that sells ENDS products must have a license from RIDOH (Rhode Island Department of Health). When licenses are obtained and renewed, the businesses must certify that they comply with regulations that prohibit flavors.

health.ri.gov/licenses or email **elicense@health.ri.gov**

FEES

The cost of a Rhode Island Tobacco License depends on several factors, including a company's industry and geographic service region. Section 44-20-5 of the Rhode Island General Laws requires that all cigarette dealer licenses be renewed annually at a cost of \$25.00. The law states that the renewal application must be filed by February 1st each year, renewing the license for the fiscal year beginning July 1st.

BEST PRACTICES

Quick ID Checklist

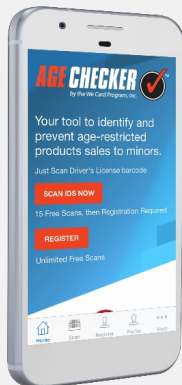
- Card anyone who appears under 35
- Have customer remove ID from wallet
- Look at photo
- Look at expiration date
- Look at date of birth
- Check for DUPLICATE or REPLACEMENT. Ask for a second ID
- Use a black light to check for UV writing
- Does ID seem to be intact? Are there signs of tampering?
- Look at the back and check for disclaimers
- When in doubt, ask for a second ID

How to Refuse a Sale

- Be polite
- Don't get emotional or angry
- Say, "I'm sorry if I make this sale, I could be fined or even lose my job."
- If customer persists, ask your manager for backup
- Remember! Under Rhode Island law, if you make a sale to a minor, you are the one fined!

COMPLIANCE TIPS

You can help minors avoid tobacco addiction and poor health.



WE CARD AGE CHECKER FREE APP!

From the same **We Card Program** that's helped spot and deny minors' attempts to buy tobacco and other age-restricted products ... now brings you another age calculation tool—**Age Checker!**



How does it work?

Age Checker uses your phone's camera to scan a customer's drivers license bar code on the back of their ID. You'll get results to help you determine whether or not the customer is of legal age based upon the state and city you select.

Results show the customer's age, their date of birth and "OK to Sell" or "Do Not Sell" results for each of these products: tobacco, e-cigarettes and vapor and alcohol.

- Simply card your customer.
- Scan the bar code on the back of the Driver's License.
- Get immediate results of OK to Sell or Do Not Sell messages for the 21 year minimum-age.

SIGNAGE REQUIREMENTS

In Rhode Island, signs warning against youth sales, and of health risks are required at retail point of sale (i.e., cash register). The signs can be downloaded from the RI Department of Behavioral Healthcare, Disabilities and Hospitals (BHDDH).

English: bhddh.ri.gov/media/5466/download

Spanish: bhddh.ri.gov/media/5471/download

**This is required signage
for all tobacco retail outlets.**

THE SALE OF TOBACCO PRODUCTS, INCLUDING CIGARETTES AND ELECTRONIC NICOTINE-DELIVERY SYSTEM PRODUCTS TO INDIVIDUALS UNDER THE AGE OF 21 IS AGAINST RHODE ISLAND LAW (§11-9-13.8(1), Rhode Island General Laws). PHOTO ID FOR PROOF OF AGE IS REQUIRED FOR PURCHASE.

Contact the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals to Report any Violations of this Act at (401) 462-3441.



TOBACCO SALES COMPLIANCE MODEL

CHECKING ID'S

- Ask for a photo ID of anyone who attempts to purchase tobacco products.
- Determine if the customer is old enough, use the "Drop20, Add 2" formula.
- Refuse to sell to anyone under 21.

PERSON BUYING FOR SOMEONE ELSE

- A person under 21 years is not allowed to purchase tobacco products for someone else.
- Refuse to sell to anyone 21 or older who you suspect may be buying for someone under 21.

PROMOTIONS

- Do not sell or distribute single cigarettes. It is illegal to sell cigarettes in packages containing fewer than 20 cigarettes.
- Do not honor coupons for free samples or coupons for free tobacco products to anyone under the age of 21.



TOBACCO PRODUCTS

Tobacco products include anything made with tobacco.

- Cigarettes
- Moist Snuff
- Cigarette Tobacco
- Cigars
- Pipe Tobacco
- Bidi Cigarettes
- Plug Chewing Tobacco

STORE ENVIRONMENT

- Display the official Rhode Island warning notices at all points of sale (cash registers and vending machines).
- Make all tobacco sales vendor assisted.
- Vending machines must be in the direct line of sight of a clerk and equipped with a locking device which can only be unlocked by an authorized employee of the establishment.







Southern Providence County Regional Coalition

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Who We Partner With

- Youth
- Adults
- Parents
- Educators
- Older adults
- Elected officials
- Local businesses
- Civic organizations
- Healthcare communities
- Faith-based communities
- Youth-serving agencies
- Safety & law enforcements
- Behavioral healthcare agencies

Contact Us

Website

spcprevention.org

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Municipalities

- Cranston
- Foster/Glocester
- Johnston
- Scituate
- Smithfield
- North Providence

