

Know Your Responsibility

To protect your business and Pennsylvania's youth, the PA Department of Health sends inspectors to visit stores that sell tobacco to make sure they follow the law. It is your responsibility to train your employees and make sure that you and your employees follow all tobacco sales laws.

State Law - Act 112

- **No sale** of any tobacco product to **anyone under age 21** (including electronic cigarettes and vaping products)
- You **must ask for photo ID**
- It is **illegal to sell single cigarettes (loosies)** or other out of package tobacco products including cigars and e-cigs
- Tobacco **must be kept behind the counter** and within view of the cashier or the worker
- You **must get a license** from the PA Department of Revenue

Fines and Penalties

What are the fines and penalties for selling tobacco products to persons younger than 21 years of age?

A person is guilty of a summary offense if they sell or furnish tobacco products to a person under the age of 21.

INDIVIDUALS can be fined between:	BUSINESSES can be fined between:
\$100 - \$250 1st offense	\$100 - \$500 1st offense
\$250 - \$500 2nd offense	\$500 - \$1000 2nd offense
\$500 - \$1000 Subsequent offenses	\$1000 - \$5000 Subsequent offenses

In addition, upon the third conviction of a retailer in a 24-month period, the PA Department of Revenue may, after the opportunity for a hearing, suspend the retailer's cigarette license for up to 30 days. Upon a fourth conviction in any 24-month period, the department may, after the opportunity for a hearing, suspend the license for up to 60 days.

Cover image credit: CounterTobacco.org, photographer Kathryn Stein

Dealing with Threats and Difficult Customers

Your safety and the safety of others is very important!

- If a customer becomes angry, remain calm
- Do not apologize
- Do not argue or fight
- Speak in a calm tone
- Point to or show "Age of Sale" or "Proof of Age" sign
- Contact a manager if you need help
- If a customer takes the item and runs away, report it as a theft
- If a customer threatens you or your staff **call 911**

How to Report

Community members are encouraged to report stores that sell tobacco to anyone under the age of 21:

CALL 888-99-SMOKE

TEXT Text "SMOKE" to 888-99-SMOKE (76653)

ONLINE PA-TobaccoMerchantEd.org/report



Additional Tobacco Retailer Resources

www.PA-TobaccoMerchantEd.org

www.health.pa.gov/topics/programs/tobacco/Pages/Act-112.aspx

www.fda.gov/tobacco-products/compliance-enforcement-training

www.attorneygeneral.gov/resources/tobacco-enforcement/

www.pactonline.org/retailer-resources/

FREE online training for anyone selling tobacco or vaping products.



Scan this code or go to patobaccomerchanted.talentlms.com to sign up.

There are also links to the training on the PA-TobaccoMerchantEd.org site.

The Pennsylvania Tobacco Merchant Education Initiative is funded through a grant from the Pennsylvania Department of Health.

Pennsylvania Tobacco Merchant Education Initiative

What you need to know about

Act 112 - Pennsylvania's Tobacco Youth Sales Law



Protect Your Business.
Protect Pennsylvania's Youth.



The tobacco laws are in place to help protect our youth.

Tobacco / nicotine use leads to chronic illnesses including:¹

Cancer (Almost anywhere in the body: Bladder, Blood, Cervix, Colorectal, Esophagus, Kidney, Throat, Liver, Pancreas, Stomach, Lungs, etc.)

Lung diseases (Emphysema, COPD, Chronic Bronchitis)

Heart diseases (Damaged blood vessels, faster heart beat, clots, which can lead to heart attacks and/or strokes)

Fetal illnesses (Affects babies' health before and after birth, increased risk of: pre-term delivery, stillbirth, low birth weight, Sudden Infant Death Syndrome (SIDS), etc.)

Male fertility problems (Can affect sperm, can reduce fertility and increase risk for birth defects and miscarriage)

Bone health (Weakens bones increasing risk for broken bones)

Teeth and gums (Can cause tooth loss)

Eyes (Increased risk for cataracts and macular degeneration)

Type 2 diabetes (Increased risk)

Arthritis

Nicotine is highly addictive and particularly harmful to young brains.

87%

of smokers start smoking by the time they turn

18
years old

95%

of smokers start smoking by the time they turn

21
years old

¹https://www.cdc.gov/tobacco/about/?CDC_AAref_Val=https://www.cdc.gov/tobacco/php/data-statistics/youth-data-tobacco/?CDC_AAref_Val



Steps to avoid selling to youth

- Do not assume that a person is over 21 years of age. Beards, tattoos, make-up, pregnancy, confidence, eye contact, are not indications of a person's age.

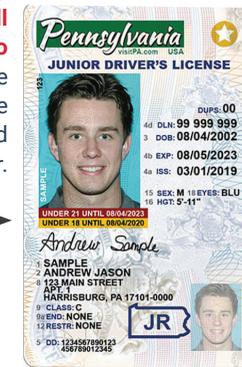


- Ask for ID and confirm the age of everyone purchasing tobacco or vaping products.
- Know what forms of ID are legal and how to read them properly.
- Know how to refuse a sale.
- Train all current and new employees on the law and your store policy.

Ask for and Check ID

Pennsylvania Legal ID

Do NOT sell tobacco before the date in the highlighted red bar.



Make sure the ID is not missing any information and is not expired.

- PA State ID Card
- Driver's License
- US Passport
- Military ID

If you are not sure if the ID is legal then do not make the sale!

Training Employees

It is a store owner's/manager's responsibility to make sure that you and your employees follow the law.

- Make a store policy that your store will not sell tobacco to people that are under age.
- Train all workers on the policy, including family members in family run businesses.
- Have workers sign an agreement that they understand the law and the store policy.
- Post the policy on a worker's bulletin board or at the register in sight of all workers.
- Regularly review the law and your store policy with your workers.

Remember: Store clerks can also be fined for selling tobacco or vaping products to those under 21 years of age.