



Pennsylvania 
**Tobacco Merchant
Education Initiative**

**Pennsylvania's Act 112
Tobacco Merchant Training**

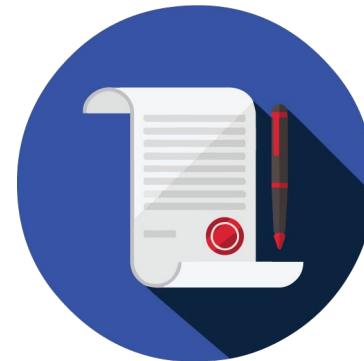
Getting Started



We are here to
HELP and
SUPPORT you.



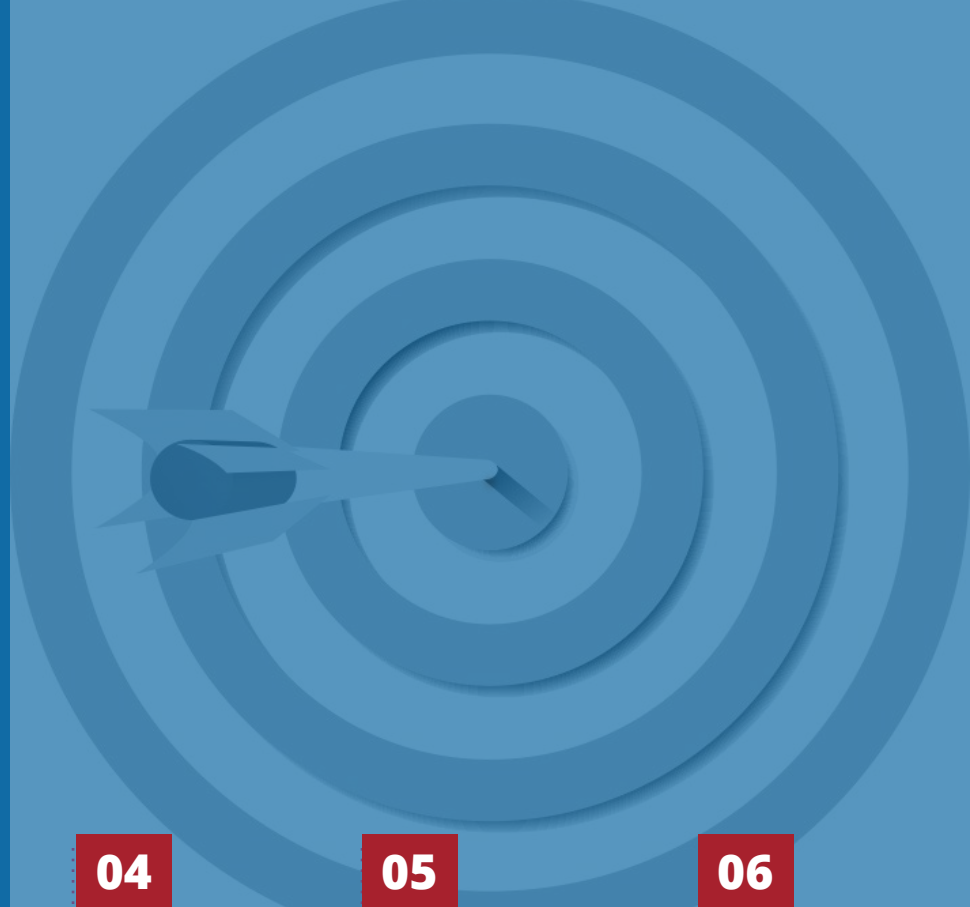
We want to
HELP YOU AVOID
future tobacco
sale violations.



The **PURPOSE** of
the training is to make
sure you and your
employees KNOW and
FOLLOW tobacco sale
laws in Pennsylvania.

Training Goals

This training will help
you understand



01

Current
Tobacco
Sales Laws

02

How to
Follow the
Sales Laws

03

Fines and
Penalties for
not Following
the Law

04

How to
Read ID's

05

How to Deal
with Difficult
Customers
and Threats

06

Tips for
Training
your
Workers

What Tobacco Sales Laws We Will Talk About Today?



1

No sale of any tobacco product (including e-cigarettes) to **ANYONE UNDER** the age of **21**

2

It is **ILLEGAL** to sell tobacco (including e-cigarettes) in Pennsylvania **without a State Tobacco Sales License**

3

It is **ILLEGAL** to sell **single cigarettes (loosies)** to anyone

4


Retailers **MUST ask for ID**

5

Tobacco (including vape products) must be **kept BEHIND the counter** and within eyesight of the clerk.

“Loosies” or Loose Cigarettes and Cigars are Illegal



- Loosies are cigarettes that are removed from their packaging.
- You can NOT break the seal on packages and sell the contents.
- Cigars and little cigars can also be considered “loosies” if they do not have a **UPC bar code** on the wrapper.

- If you are asked to sell a loosie, tell the customer that it is against the law to sell loosies to anyone. This includes adults and youth.

A single cigarette can lead to a lifetime of addiction and keeps adults smoking who would otherwise quit.

Illegal to Sell to Youth

The sale of all tobacco products, including e-cigarettes (and other vaping products), to anyone under 21 years of age is **ILLEGAL**.



Loose Cigarettes & Pack of Cigarettes



E-Cigarettes



Blunt Wraps



Cigar (*Blunts*)



Hookah



Vapor Pen



Chew/Dip



Juil

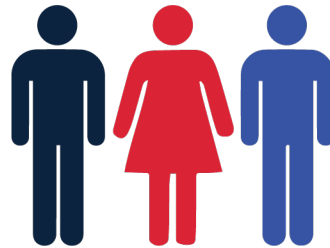
Nicotine is Very Addictive

Protect Pennsylvania's Youth! - What if it was YOUR child?

90%

of smokers
start before
the age of 18

For every 3 Youth



who try a cigarette

**1 becomes a
lifetime smoker.**

That **child** is
**someone's
son or daughter.**

Nicotine addiction
can begin with

one

'loosie' or pack

Anyone who sees a sale to someone
under 21, can report it anonymously to:

Call to leave a message or text "smoke" to:
1-888-99-SMOKE (76653)

Online: www.PA-TobaccoMerchantEd.org/report

Act 112: Fines and Penalties

Selling tobacco products to youth under 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.

Violators will be fined between:

\$100 - \$250

1st offense

\$250 - \$500

2nd offense

\$500 - \$1000

**Subsequent
Offenses**

Act 112: Retailer Fines

Selling tobacco products to youth under 21 years of age?

Retailer's will be fined between:

\$100 - \$500

1st offense

\$500 - \$1,000

2nd offense

\$1,000 - \$3,000*

3rd offense

\$5,000 - \$10,000*

**Additional
Offenses**

* In addition, upon the **third conviction** of a retailer in a 24-month period, the Department of Health 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.

5 steps to avoid selling to youth

01



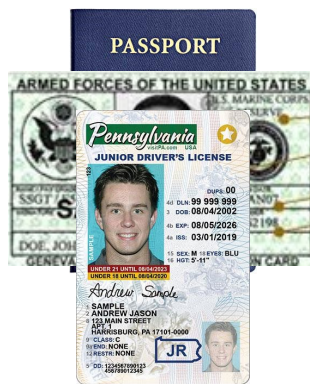
Do not sell to youth under 21 years old

02



Check ID of everyone

03



Know which forms of photo ID are legal, and how to properly read them

04



Know how to refuse a sale

05



Train all current and new workers on the law

Who is old enough to buy tobacco products?

Guess their age?



These things **DO NOT** always mean someone is over 21



Tattoos



Body Piercing



Facial Hair



Pregnant

As well as...

Types of Clothing

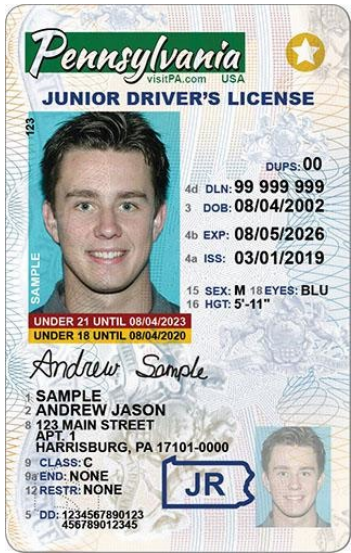
Eye Contact

Attitude

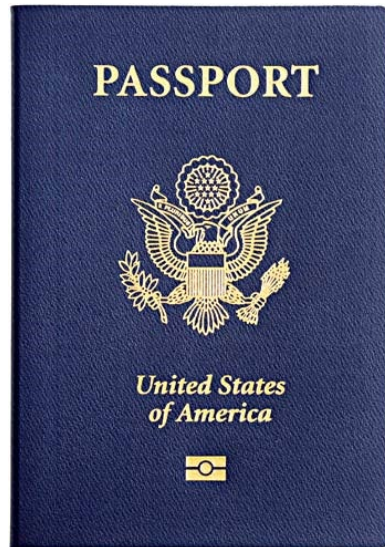
Hair Style

It can be very difficult to judge someone's age. Don't guess. Ask for and read their ID.

Which are Legal Forms of ID?



PA State ID Card
Drivers License



US Passport



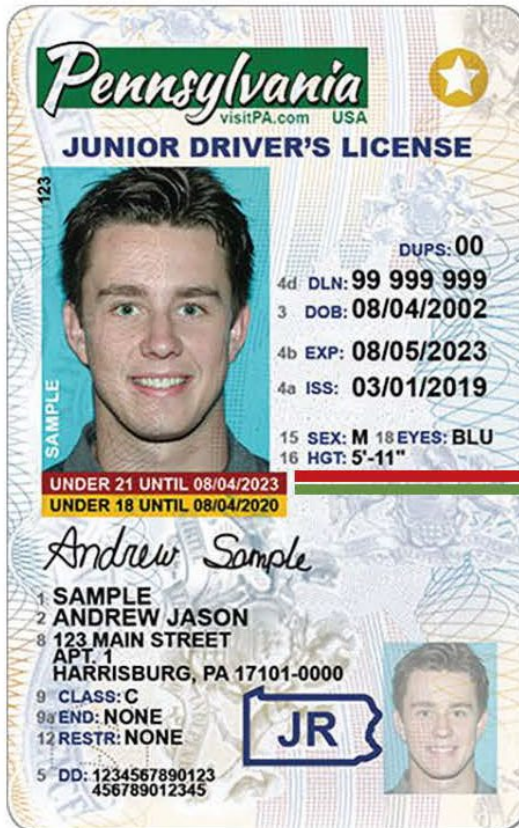
- AFFILIATION
- PAY GRADE/RANK
- EXPIRATION DATE
- DoD IDENTIFICATION NUMBER

Military ID*

* Having a military ID does NOT mean that the holder is 21 years of age.

How to Read an ID

How to Determine the Age of a Customer?



How to Read a State ID?

In Pennsylvania, the legal age to buy tobacco products is 21 years old.

NO

You Cannot Sell
if the date in the **red bar** has not occurred or it is not the current date.
The Customer is under age

YES

You Can Sell
if the date in the **red bar** has passed or it is the current date.
The Customer is old enough

Pennsylvania Legal ID

- PA State ID Card
- Drivers License
- US Passport
- Military ID

Is it Legal?

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

Refusing a Sale



Do not sell if
you are not sure
an ID is valid



Speak in a calm tone of voice

"It's against the law."

*"I cannot sell tobacco
without a picture ID."*

*"It's store policy and the law
to check IDs."*

*"I could be fined if I break the
law."*

*"I could lose my job if I break
the law."*



**Do NOT give the
tobacco item until
you have confirmed
the customer's age.**



Assist and Ask,

*"How else can I
help you?"*

Dealing with Difficult Customers

Refuse a sale to a difficult customer



Remain Calm
If a customer becomes angry



Do not:
Apologize
Argue or fight



Keep speaking in
A calm tone



Point to or show
“Age of Sale” sign



If you need help,
Contact your
manager



If a customer takes the item and runs away,
That is theft and you should report it to your store manager.

Dealing with Threats

If a customer threatens you or your staff

CALL 911

Refer to the contact info for local Police Districts

REMEMBER

Your safety and the safety of others is very important!

Training Employees



1

Create a store policy that your store will not sell tobacco products to underage youth

2

You must train all of your workers on the policy, including family members in family run businesses

3

Have each worker sign an agreement that they understand the laws and store policy

4

Post policy on the worker bulletin board or at the register in sight of all workers

5

Regularly review the laws and your store policy with your workers

Last Thoughts

It is YOUR
RESPONSIBILITY to
make sure that
YOU and **YOUR**
EMPLOYEES
follow the law



We are here
to **HELP YOU**
UNDERSTAND and
FOLLOW the laws

These tobacco laws
are in place to
HELP TO PROTECT
OUR YOUTH

Website Resources

www.sepatobaccofree.org/tobacco-laws-and-enforcement

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

<https://www.fda.gov/tobacco-products/compliance-enforcement-training>

<https://pactonline.org/tobacco-21-retailer-resources/>