

Tobacco Enforcement

Omnibus Tobacco Enforcement Act of 2023



What is a Tobacco product?

16-17-501 (8)

- "Tobacco product" means:
- (a) **any product containing, made of, or derived from tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus;**
- (b) **any electronic smoking device** as defined in this section and any substances that may be aerosolized or vaporized by such device, **whether or not the substance contains nicotine;** or
- (c) **any component, part, or accessory of subitem (a) or subitem (b), whether or not any of these contains tobacco or nicotine including, but not limited to, filters, rolling papers, blunt or hemp wraps, and pipes.** Tobacco product does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

What is an Electronic Smoking Device?

16-17-501 (3)

- (3) **"Electronic smoking device"** means any device that may be used to deliver any aerosolized or vaporized substance, including e-liquid, to the person inhaling from the device including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. "Electronic smoking device" includes any component, part, or accessory of the device, and also includes any substance intended to be aerosolized or vaporized during the use of the device whether or not the substance includes nicotine. "Electronic smoking device" does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.



What is an E-Liquid?

16-17-501 (4)

- (4) **"E-liquid"** means a substance that:
 - (a) **may or may not contain nicotine;**
 - (b) **is intended to be vaporized and inhaled using an electronic smoking device;** and
 - (c) **is a legal substance** under the laws of this State and the laws of the United States.
- **"E-liquid" does not include cannabis or CBD** as defined under the laws of this State and the laws of the United States unless it also contains nicotine.



Tobacco Product Sale Prohibitions, minors

16-17-500

- (A) It is **unlawful for an individual to sell, furnish, give, distribute, purchase for, or provide a tobacco product to a minor under the age of eighteen years.**
- (B) It is **unlawful to sell a tobacco product to an individual without a demand of proper proof of age.** Failure to demand identification to verify an individual's age is not a defense to an action initiated pursuant to this subsection. Proof that is demanded, is shown, and reasonably is relied upon for the individual's proof of age is a defense to an action initiated pursuant to this subsection.
- (C) A **person engaged in the sale of tobacco products made through the Internet or other remote sales methods shall perform an age verification through an independent, third-party age verification service** that compares information available from public records to the personal information entered by the individual during the ordering process that establishes the individual is eighteen years of age or older and shall use a method of mailing, shipping, or delivery that requires the signature of a person at least eighteen years of age before a tobacco product will be released to the purchaser, unless the Internet or other remote sales methods employ the following protections to ensure age verification:
 - (1) the customer creates an online profile or account with personal information including, but not limited to, name, address, social security information, and a valid phone number, and that personal information is verified through publicly available records; or
 - (2) the customer is required to upload a copy of his government-issued identification in addition to a current photograph of the customer; and
 - (3) delivery is made to the customer's name and address.
- (D) It is **unlawful to sell a tobacco product through a vending machine.**



Tobacco Product Sale Prohibitions, Minors Cont.

16-17-500

- (E)(1) An **individual who knowingly violates a provision of subsections (A), (B), (C), (D), or (J) in person, by agent, or in any other way is guilty of a misdemeanor** and, upon conviction, must be:
 - (a) for a first offense, fined not less than two hundred dollars and not more than three hundred dollars;
 - (b) for a second and subsequent offense, fined not less than four hundred dollars and not more than five hundred dollars, imprisoned for not more than thirty days, or both.
- (2) In lieu of the fine, the court may require an individual, at the expense of the tobacco retailer or tobacco retail establishment, to successfully complete a **Department of Alcohol and Other Drug Abuse Services-approved merchant tobacco enforcement education program.**

Tobacco Product Sales Prohibition, Retailers

16-17-500 (E) (3)

- (3) A tobacco retailer who knowingly violates or permits an employee to violate a provision of subsections (A), (B), (C), (D), or (J) in the tobacco retail establishment is subject to an administrative penalty as follows:
 - (a) for a **first violation, issued a warning**;
 - (b) for a second violation within a thirty-six-month period, fined not less than three hundred dollars;
 - (c) for a third violation within a thirty-six-month period, fined not less than six hundred dollars;
 - (d) for a fourth and subsequent violation within a thirty-six-month period, fined not less than one thousand two hundred dollars and the tobacco retailer is prohibited from selling or distributing tobacco products for a period of at least seven days and no greater than thirty days. For purposes of this subsection, a tobacco retailer that knowingly sells or distributes during the period that the tobacco retailer is prohibited from selling or distributing is subject to a fine of not more than two hundred dollars and is prohibited from selling or distributing tobacco products for an additional period of seven days; and

Tobacco Product Sales Prohibition, Retailers

16-17-500

- (e) A tobacco retailer or tobacco retail establishment may request a contested case hearing for the fine or for the prohibition from selling or distributing tobacco products in front of the South Carolina Administrative Law Court, pursuant to the South Carolina Administrative Procedures Act, Section [1-23-310](#) et, seq.
- (4) In lieu of the fine and prohibition from selling or distributing tobacco products, the court may require the tobacco retailer or tobacco retail establishment's employees, at the expense of the tobacco retailer or tobacco retail establishment, to successfully complete a Department of Alcohol and Other Drug Services-approved merchant tobacco enforcement education program.

Tobacco Product Sales Prohibition, Retailers

16-17-500

- A. Sale to Person under 18
- B. Sale without Proper Proof of Age
- C. Internet Sales
- D. Vending Machine Sales
- E. Penalties
- J. (1) Tobacco retailers – prohibit minors from entering
(2) Sign Postings

- (5) Failure to require identification for the purpose of verifying a person's age is prima facie evidence of a violation of this section.
- **(6) Local law enforcement and the State Law Enforcement Division may enforce subsections (A), (B), (C), (D), (E), or (J).** The Department of Revenue must administer the provisions of subsection (E)(3) and the **State Law Enforcement Division may enforce subsection (E)(3).**
- (7) A violation of subsection (A), (B), (C), (D), or (J) is prima facie evidence of a violation of subsection (E)(3). The Department of Revenue is authorized to present evidence of a violation of subsection (A), (B), (C), (D), or (J) to establish the violation of subsection (E)(3). Evidence of compliance with a merchant tobacco enforcement education program is an affirmative defense to subsection (E)(3)(a) and (b).

Tobacco Purchases Made by Minors

16-17-500 (F)

- (F)(1)(a) A minor under the age of eighteen years **must not present or offer proof of age that is false or fraudulent for the purpose of purchasing or possessing these products.**
- (b) A minor **under the age of eighteen years is prohibited from entering a tobacco retail establishment that has as its primary purpose the sale of tobacco products**, unless the minor is actively supervised and accompanied by an adult.
- (c) The provisions of this subsection do not apply to a minor under the age of eighteen who is recruited and authorized by a law enforcement agency to test an establishment's compliance with laws relating to the unlawful transfer of tobacco products. The testing must be conducted under the direct supervision of a law enforcement agency, and the law enforcement agency must have the consent of a parent or legal guardian of the minor.
- (2) A minor who knowingly misrepresents his age to purchase or attempt to purchase a tobacco product commits a noncriminal offense and is subject to a civil fine of twenty-five dollars.

Penalties — Tobacco Purchases by a Minor

16-17-500 (F)

- (3) In lieu of the civil fine, the court may require a minor to successfully complete a Department of Health and Environmental Control-approved smoking cessation or tobacco prevention program, a South Carolina Department of Alcohol and other Drug Abuse Services tobacco prevention program, or to perform not more than five hours of community service for a charitable institution.
- (4) A violation of this subsection is not a criminal or delinquent offense and no criminal or delinquent record may be maintained. A minor may not be taken into custody, arrested, placed in jail or in any other secure facility, committed to the custody of the Department of Juvenile Justice, or found to be in contempt of court for a violation of this subsection or for the failure to pay a fine, successfully complete a smoking cessation or tobacco prevention program, or perform community service.
- (5) A violation of this subsection is not grounds for denying, suspending, or revoking an individual's participation in a state college or university financial assistance program including, but not limited to, a Life Scholarship, a Palmetto Fellows Scholarship, or a need-based grant.
- (6) The uniform traffic ticket, established pursuant to Section [56-7-10](#), may be used by law enforcement officers for a violation of this subsection, including civil penalties and warnings. A violation of subsection (F) does not constitute a criminal offense. A law enforcement officer issuing a uniform traffic ticket pursuant to this subsection must immediately seize the tobacco product.
- (G) This section does not apply to the possession of a tobacco product by a minor working within the course and scope of his duties as an employee or participating within the course and scope of an authorized inspection or compliance check.

Tobacco Product Samples

16-17-502

- (A) It is **unlawful for a person to distribute a tobacco product sample to a person under the age of eighteen years.**
- (B) A **person engaged in sampling shall demand proof of age from a prospective recipient if an ordinary person would conclude on the basis of appearance that the prospective recipient may be under the age of eighteen years.**
- (C) A person violating this section is subject to the penalties set forth in Section [16-17-500](#)(E).
- (D) A **tobacco retail establishment violating this section is subject to administrative penalties as provided in Section [16-17-500](#)(E)(3).**

Compliance Inspections

16-17-503

16-17-500 – Sale to Minors

16-17-502 – Tobacco samples to minors

16-17-506 – E-Liquid container violations

- (A) The **State Law Enforcement Division** may conduct **unannounced compliance checks for violations of Sections [16-17-500](#), [16-17-502](#), and [16-17-506](#)**. A person **under the age of eighteen** may be recruited and authorized by the State Law Enforcement Division to test the tobacco retail establishment's compliance with Sections [16-17-500](#), [16-17-502](#), and [16-17-506](#). The testing must be under direct supervision of a law enforcement agency and with the consent of the person's parent or guardian. The **State Law Enforcement Division must notify the Department of Revenue of violations under Section [16-17-500](#)(E)(3)**. The results of compliance checks resulting in a tobacco retailer being prohibited from selling or distributing tobacco products must be published by the Department of Revenue annually and made available to the public upon request. Penalties collected pursuant to Sections [16-17-500](#), [16-17-502](#), and [16-17-506](#) must be used to offset the costs of enforcement.

Compliance Inspections

16-17-503

- (B) The Director of the South Carolina Department of Alcohol and Other Drug Abuse Services shall conduct random, unannounced inspections at locations where tobacco products are sold and at locations that have notified the Department of Revenue under Section [12-36-511](#) that the tobacco retailer sells or distributes tobacco products. A person under the age of twenty-one may be recruited and authorized by a law enforcement agency on behalf of the Department of Alcohol and Other Drug Abuse Services to test a tobacco retail establishment's compliance with federal laws relating to the unlawful sale of tobacco to minors for the purposes of federal reporting requirements. The Director of South Carolina Department of Alcohol and Other Drug Abuse Services shall provide for the preparation of and submission annually to the Secretary of the United States Department of Health and Human Services the report required by Section 1926 of the federal Public Health Service Act (42 U.S.C. 300x-26) and otherwise is responsible for ensuring the state's compliance with that provision of federal law and implementing regulations promulgated by the United States Department of Health and Human Services.

Tobacco Free school Campus Policy

59-1-380

- (A) Every local school district in the State shall implement and enforce a written policy prohibiting at all times the use of any tobacco product by any person in school buildings, in school facilities, on school campuses, and in or on any other school property owned or operated by the local school administrative unit. The policy also must prohibit the use of any tobacco product by persons attending a school-sponsored event at a location not listed in this subsection when in the presence of students or school personnel or in an area where smoking or other tobacco use is otherwise prohibited by law.
- (B) The policy must include at least all of the following elements:
 - (1) adequate notice to students, parents or guardians, the public, and school personnel of the policy;
 - (2) posting of signs prohibiting at all times the use of tobacco products by any person in and on school property; and
 - (3) requirements that school personnel enforce the policy, including appropriate disciplinary action.
- (C) Disciplinary actions for violating the policy may include, but not be limited to:
 - (1) for students: administrator and parent or legal guardian conference, mandatory enrollment in tobacco prevention education or cessation programs, community service, in-school suspension, suspension for extracurricular activities, or out-of-school suspension;

Tobacco Free School Campus Policy

59-1-380

- (2) for staff: verbal reprimand, written notification in personnel file, mandatory enrollment in tobacco prevention education, voluntary enrollment in cessation programs, or suspension;
- (3) for contract or other workers: verbal reprimand, notification to contract employer, or removal from district property; and
- (4) for visitors: verbal request to leave district property or prosecution for disorderly conduct for repeated offenses.
- (D) The local school district shall collaborate with the Department of Health and Environmental Control, the Department of Alcohol and Other Drug Abuse Services, and the South Carolina Department of Education, as appropriate, to implement the policy, including as part of tobacco education and cessation programs and substance use prevention efforts.
- (E) The policy may permit tobacco products to be included in instructional or research activities in public school buildings if the activity is conducted or supervised by the faculty member overseeing the instruction or research and the activity does not include smoking, chewing, inhaling, or otherwise ingesting the tobacco product.

E-Liquid Containers

WARNING: This Product contains nicotine. Nicotine is an addictive chemical.

- (A) For purposes of this section, "container" means a bottle or other container of any kind that contains e-liquid and is offered for sale, sold, or otherwise distributed, or intended for distribution to consumers, but that does not include a cartridge that is prefilled and sealed by the manufacturer and not intended to be opened by the customer.
- (B) It is **unlawful to sell, hold for sale, or distribute a container of e-liquid unless:**
 - (1) the container satisfies the requirements of 21 C.F.R. 1143.3, if applicable, for the **placement of labels, warnings, or any other information upon a package of e-liquid that is to be sold within the United States;**
 - (2) the container complies with **child-resistant effectiveness standards** under 16 C.F.R. 1700.15(b)(1) when tested in accordance with the requirements of 16 C.F.R. 1700.20; and
 - (3) the **container complies with federal trademark or copyright laws.**
- (C) A person who knowingly sells, holds for sale, or distributes e-liquid containers in violation of subsection (B) is guilty of a misdemeanor and, upon conviction, must be imprisoned for not more than three years or fined not more than one thousand dollars, or both.
- (D) In addition to the other penalties provided by law, **law enforcement may seize and destroy or sell to the manufacturer, for export only, any containers in violation of this section.**
- (E) Any tobacco retailer or tobacco retail establishment that permits an employee to violate or knowingly violates subsection (B) is subject to the penalties in **Section 16-17-500(E)(3).**



Retailers Primarily Vested in the Sale of Tobacco Products

- a tobacco retail establishment has as its primary purpose the sale of tobacco products must be based on the totality of the circumstances. Facts that must be considered, but not be limited to, are the tobacco retail establishment's business filings, business name and signage, marketing and other advertisements, and the percentage of revenue and inventory directly related to the sale of tobacco products.

16-17-500 (J)(3)

General Inspections of Retailers Primarily Vested in Tobacco Products

16-17-500 (J)(1)

(J)(1) A tobacco retail establishment that has as its primary purpose the sale of tobacco products must prohibit minors under the age of eighteen years from entering the tobacco retail establishment, unless the minor is actively supervised and accompanied by an adult and shall determine whether a person is at least eighteen years of age by requiring proper proof of age in accordance with subsection (B), prior to the sale of a tobacco product.

General Inspections of Retailers Primarily Vested in Tobacco Products

16-17-500 (J)

- (2) A tobacco retail establishment described in item (1) must conspicuously post on **all entrances** to the establishment the following:
- (a) a sign in boldface type that states "**NOTICE: It is unlawful for a person under eighteen years of age to enter this store, unless the minor is actively supervised and accompanied by an adult. Age will be verified prior to sale.**";
- (b) a sign printed in letters and numbers at least one-half inch high that **displays a toll-free number** for assistance to callers in quitting smoking, as determined by the Department of Health and Environmental Control.



Tobacco Licenses

12-36-511

- A retailer must submit whether it sells tobacco, tobacco products, including electronic smoking devices or e-liquid, as defined in Section 16-17-501(3) and (4), or any other product used for smoking with its retail application. A retailer not previously designated as a tobacco retail establishment, as defined in Section 16-17-501, shall notify the department in the manner prescribed by the department prior to selling tobacco products. For the purposes of this section, tobacco retailers and tobacco retail establishments that have a retail license must supplement their retail license application to notify the department that they sell or distribute tobacco or tobacco products. For the purposes of this section, a retailer that sells tobacco, tobacco products, or any other product used for smoking that does not disclose on their initial retail application or supplement their retail license application is subject to a fine of not more than two hundred dollars and must file within fifteen days of notification of a failure to file. A retailer that fails to file within fifteen days after the notification is subject to a fine of two thousand dollars.

IMPORTANT NOTICE FOR TOBACCO RETAILERS

If you sell tobacco products, be sure to notify the SCDOR by August 14!

[LEARN MORE ▶](#)



< August 2023 >

Sun	Mon	Tue	Wed	Thu	Fri	Sat
30	31	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31	1	2

*eleven upcoming event(s) this month



Facebook and Twitter social media sharing options for the South Carolina Department of Revenue.

South Carolina Department of Revenue
Follow Page 4.9K followers

South Carolina Department of Revenue
17 minutes ago

ICYMI: New legislation requires all tobacco retailers to notify the SCDOR by August 14, 2023. That's just 1 week away!

Complete the process on MyDORWAY:
http://dor.sc.gov/notify_tobacco



Can I help?



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Notification of Tobacco Sales

Tobacco Notification



Verify Identity

Tobacco Product Notification

- You are required to notify SCDOR if you sell tobacco products by **August 14, 2023**.
- **No action** is required if you do not sell tobacco products.
- Retailers selling tobacco products that fail to notify the SCDOR are subject to fines and violations.

Enter the Letter ID from the **ST-608, Important Notification about Retail Tobacco Sales** letter that you received.



Cancel

< Previous

Next >



DEPARTMENT OF REVENUE
important Notification
about Retail Tobacco Sales

FEIN:
Letter ID:
Date Issued:

NAME
ADDRESS
CITY STATE ZIP

On May 16, 2023, Governor Henry McMaster signed **House Bill 3681** into law, requiring all retailers to notify the South Carolina Department of Revenue (SCDOR) if they sell tobacco products at each retail location by **August 14, 2023**.

The definition of tobacco products was also updated in this bill. Tobacco products now include but are not limited to: cigarettes, products made of tobacco, electronic smoking devices, e-cigarettes, e-cigars, e-pipes, vape pens, e-hookah, e-liquid, and tobacco items that may or may not contain nicotine.

What you need to know:

- You are required to notify SCDOR if you sell tobacco products by **August 14, 2023**.
- **No action** is required if you do not sell tobacco products.
- Retailers selling tobacco products that fail to notify SCDOR are subject to fines and violations.

What you need to do:

- If you sell tobacco products as defined in SC Code Section 16-17-501, visit MyDORWAY, our free online tax portal, at MyDORWAY.dor.sc.gov
 - If you have a MyDORWAY account, log in and select the **More** tab. On the next screen, click **Notification of Tobacco Sales**.
 - If you don't have a MyDORWAY account, click **Notification of Tobacco Sales**, located in the **Respond to the SCDOR** panel on the MyDORWAY homepage. You'll need to enter the **Letter ID** and **FEIN** or **SSN** listed above on this letter.
- Once you've validated your identity, click the **Check if Location Sells Tobacco** checkbox for each location that sells tobacco products, and leave it unchecked for all locations that don't. Once you're done, click **Submit**.

For more information on the definitions of tobacco products related to this bill, see SC Code Section 16-17-501, available at dor.sc.gov/policy.

To stay up-to-date on news and announcements from the SCDOR, subscribe to our email lists at dor.sc.gov/emails and connect with us on Facebook, Twitter, and YouTube.

MyDORWAY



Username

Password

Log in

[Forgot your password?](#)

[New to MyDORWAY?](#)

Sign Up

Warning! By accessing and using this government computer system, you are consenting to system monitoring for law enforcement and other purposes. Unauthorized use of, or access to, this computer system may subject you to criminal prosecution and penalties.



Sign Up

Warning! By accessing and using this government computer system, you are consenting to system monitoring for law enforcement and other purposes. Unauthorized use of, or access to, this computer system may subject you to criminal prosecution and penalties.



Payments & Refunds

- > [Make a Payment](#)
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Applications & Searches

- > [Business Tax Application](#)
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Respond to the SCDOR

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- > [Upload Requested Documents](#)
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- > [Answer a Levy](#)
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Compliance Searches

- > [State Tax Lien Registry](#) Search for state tax liens for individuals and businesses, estimate lien payoffs, and print lien notices and satisfactions
- > [Top Delinquent Taxpayers](#) View names and debt amounts of the state's top 250 delinquent individual taxpayers and 250 delinquent businesses
- > [Alcohol License Locations](#) View businesses with a valid ABL license or permit
- > [Suspended & Revoked Alcohol Licenses](#) View businesses with suspended or revoked ABL licenses or permits
- > [Motor Fuel Lists](#) Search for Bonded Importers, Eligible Purchasers, Fuel Vendors, Licensed Suppliers, and Occasional Importers
- > [Cigarette Tax Stamps and Other Tobacco Product Licenses](#) Search for valid Cigarette Tax Stamps and Other Tobacco Product licenses
- > [Retail License Number Verification](#) Verify if retail license IDs are valid
- > [Withholding File Number Search](#) Look up Withholding file numbers



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Use the drop-down menus below to search for licenses. You may search by County and/or License Type. To further filter the results, use the filter bar below.

- Typing "Columbia" will narrow your results to the city of Columbia.
- Open date >= "01-01-2017" will display all ABL licenses opened since January 1, 2017.

Select a County

Calhoun

Select a License Type

SEARCH

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Export Data

Filter

Active ABL Licenses

License Number	Business Name	Legal Name	Location Address	City	License Type	Open Date	Close/Extension E	LBD Wholesaler	Food Product Mfr
320119028-PBW	POPLAR CREEK LAND	POPLAR CREEK LAND	7 POPLAR LANDING	ELLOREE	On Premises Be	01-Sep-2021	31-Aug-2023	<input type="checkbox"/>	<input type="checkbox"/>
320761537-P7B	DOLLAR GENERAL ST	DOLGENCORP LLC	1700 OLD STATE RD	GASTON	7 Day Off Premi	01-Sep-2021	31-Aug-2023	<input type="checkbox"/>	<input type="checkbox"/>

Location Identification

- Businesses that sell “tobacco products” will not be issued Tobacco Licenses, their SCDOR Retail License will be updated to reflect tobacco sales
- Utilize SCDOR Retail License number to identify the specific locations
- If the location does not have the SCDOR Retail License on display or available and number cannot be determined, utilize ABL license number

This license must be publicly displayed as provided by law.

ST-1
(Rev. 07/20/23)
5000

**State of South Carolina Department of Revenue
Retail License**

Legal Name

AAC ENTERPRISES INC

DBA Name

Valid for Location Below

4401 DIVISION ST
METAIRIE LA 70002-3121

File Number

114123109

SID

3648673

County

Jefferson Parish

Tobacco Seller

No



Date Issued

07/28/23

Effective Date

01/01/23

Industry Type

459999

Account Subtype

Retail Sales Tax

This Retail License is issued pursuant to SC tax laws. This license is valid so long as the person to whom it is issued continues in the same location as shown on the license, unless revoked by the SCDOR for cause. It is presumed that a retailer is not continuing in the same business and must surrender the license if the retailer has no retail sales for twenty four consecutive months. To allow the license to remain valid, the retailer may submit an affidavit to the SCDOR swearing that the business is continuing.



SOUTH CAROLINA DEPARTMENT OF REVENUE

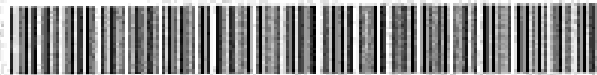
ABL-567
(Rev. 6/9/10)
4282

PBW

ON PREMISES BEER AND WINE

18

ACABL 6723362008



GRAYSON THOMAS LLC
CHARLESTON GAILLARD MANAGEMENT CORPORATION THE
525 EAST BAY ST STE. 202
CHARLESTON SC 29401

LICENSE NO. 320694959
FILE NO. 32069495-9
DATE ISSUED: 04-04-2016
STIPULATIONS:00

GAILLARD CENTER THE
95 CALHOUN ST
CHARLESTON, SC 29401

START DATE: 03/01/2016
END DATE: 02/28/2018
START TIME: 00:00
END TIME: 00:00

THIS LICENSE IS NOT TRANSFERABLE

OFFICE

***** You may not transfer this permit or license to another location or to another person. *****
If you sell all or a portion of your business, before the buyer can legally sell beer, wine or liquor, he or she MUST obtain his/her own permit or license. You can be held financially responsible for any violations of the law that take place by any person using your permit and/or license. You may be held financially responsible for injuries due to the negligent sale of these beverages by someone using your permit or license.

***** POST THIS IN A CONSPICUOUS PLACE *****

Alcohol Enforcement Agents - Tobacco

- Alcohol Complaint, Warning, Inspection and UCI numbers will now also include tobacco.
 - i.e. any tobacco complaints an agent receives will go into their yearly complaints casefile, UCI location checklist will be under the monthly Alcohol UCI case number, etc.
- Agents will conduct five tobacco UCIs in addition to the 30 alcohol UCI's each month
- UCIs must be 16-17 years old and conform to standard UCI requirements
- Utilize separate locations list form/sheet for tobacco UCI's
- Add tobacco UCI locations list to EADS each month with a tobacco label/designation
- Label tobacco UCIs on monthly stat sheet
- Evidence procedure will mirror alcohol. Agents must turn evidence over to warehouse at 90-day deadline
- Every deficiency will receive a violation
 - UCI makes a purchase of tobacco = violation
 - Proper signs not posted = violation

Alcohol Enforcement Agents - Tobacco

- Each violation will be sent to DOR/Tobacco
 - DOR has requested agents **write violations, not warnings**. DOR will maintain records of violations and issue appropriate warning/fines according to statute
- DOR will issue VDR-like forms reflecting disposed cases
- Case numbers – follow same process to request alcohol case number – use **case file character code 93**.
- Case book – normal process – **add tobacco to type of case**
 - Sale of Tobacco to Person under 18, Failure to post required signs (Tobacco)
- Evidence – limit UCI purchases to items like cigarettes, cigars, snuff, dip, etc.
 - Supervisors are working to create and get approved updated policy for vapes, e-cigs, e-liquid type items.
- Closing process for tobacco cases will mirror alcohol cases
 - Ticket disposition, when applicable
 - DOR disposition
 - Evidence destruction

Questions?