

TRI-TOWN HEALTH DEPARTMENT

Tobacco Awareness Program

Tobacco Retailer Certification Training Manual

Certification Process

1. Application

- a. Can be obtained:
 - i. Downloaded from www.tritownhealth.org
 1. *Applications/Forms/Permits*
 2. *Tobacco Certification Clerk Application*
 - ii. By calling the Tri-Town Health Department
- b. Must be completely filled out and signed at the bottom
- c. Company must pay for licensed tobacco retail establishment (found on the website) prior to any employees coming to a new or re-certification training. Other fees that may apply are listed below:
 - i. Re-Test: \$15.00 (only for failures not for recertifications)
 - ii. No Show to class fee: \$5.00

2. Exam Requirements

- a. Individual must bring an acceptable form of identification to the training. We will only accept the following:
 - i. Massachusetts drivers license
 - ii. Out of state drivers license
 - iii. State-issued identification card
 - iv. Military identification card
 - v. Passport
 - b. Use of notes or any other material (including cell phones) during exam is prohibited
 - c. Anyone caught cheating will be dismissed
 - d. Rudeness or badgering of instructor and/or students will not be tolerated
 - e. Pass = 80% or better
3. **There are two (2) types of certification courses offered; new certification 101 and re-certification which is only the exam component. What to expect during certification courses:**
- a. **New certification 101:**
 - i. (1) hour of basic competency information
 - ii. (15) minute review of course material
 - iii. (½) hour for completion of exam
 - b. **Re-certification only exam:**
 - i. Individuals who have current retail clerk certifications that are about to expire may opt to take the re-certification exam. Persons who have let their certification lapse over 3 months, have conditional licenses or have never been certified before may *NOT* just take the exam but come to a full training
 - ii. (15) minutes of questions/answers if necessary
 - iii. (½) hour for completion of exam
 - iv. If individual does not pass exam, this person will be required to pay \$15 re-test fee and attend a new certification 101 class

4. Certification

- a. Certification is mandatory for any clerk selling tobacco products in the city/towns of Lanesborough, Lee, Lenox, Great Barrington, Monterey, Pittsfield and Stockbridge
- b. After successfully passing, the certification will be sent to the individual or company 2-3 weeks after exam date
- c. Failure notices will be sent to individual or company within 2-3 weeks after exam date
- d. Certification is valid for 3 years
 - i. *Recommend* recertifying at least 2-3 weeks before expiration date

Table of Contents

<u>Chapter</u>	<u>Page</u>
<u>1.</u> Program Introduction	4
<u>2.</u> Statistics	5
Tobacco & Health & Tobacco sales to minors	6
<u>3.</u> Types of Tobacco Products	7-9
New Regulations	10
<u>4.</u> Understanding Local, State and Federal Regulations	11
Local Board of Health Regulations	
State Tobacco Regulations	
Attorney General Regulations	
<u>5.</u> Enforcement of Regulations	12
Youth Access Compliance Checks	
Store Signage Inspections	
Environmental Tobacco Smoke Inspections	
<u>6.</u> Identification & Forms of Identification	13
Examples of Identification	14-16
Fake IDs & Age Determination	17
Practice Calculations & Refusing a sale	18
<u>7.</u> Mandatory Store Signage & Extra Signage	19-20
<u>8.</u> Store Policy Development	21
Important Reminders	

Program Introduction

Communities Served:

Dalton, Egremont, Great Barrington, Hancock, Lee, Lenox, Monterey, North Adams, Otis, Pittsfield, Sandisfield and Stockbridge.

Lanesborough is the newest community that voluntarily joined our collaborative in 2010.

About the Program:

The Tobacco Awareness Program was established in 1994 and is funded by the Department of Public Health. The program provides a variety of tobacco control services for (13) thirteen Berkshire County communities for a combined population coverage of approximately 92,000 residents. Program activities include inspections for compliance with youth access regulations, tobacco sale compliance checks, tobacco retailer training, assisting Boards of Health in the drafting and adoption of tobacco control regulations, responding to complaints concerning environmental tobacco smoke and assisting Boards of Health in incorporating and institutionalizing tobacco control into their routine inspectional programs.

Our Mission:

To reduce morbidity and mortality associated with tobacco use and exposure to second-hand smoke through education and enforcement of local, state and federal tobacco control regulations.

Statistical Information

Youth and Tobacco:

Youth and Tobacco

- **90 %** of adult smokers started smoking before the age of 18.
- Three out of four teenage smokers have tried to quit at least once- but **failed**.
- Tobacco is the number one cause of preventable death in the United States, killing over **400,000** people per year.



7

Community Facts:

Smoking Prevalence Rates		
	<u>Town %</u>	<u>MA %</u>
Lanesborough	20.9	18.1
Lee	20.7	
Gt. Barrington	17.7	
Pittsfield	24.1	

Smoking during Pregnancy		
	<u>Town %</u>	<u>MA %</u>
Lanesborough	10.0	7.9
Lee	10.8	
Gt. Barrington	8.6	
Pittsfield	26.1	

* MA DPH as of April 2008

Tobacco & Health

- Massachusetts spends **\$4.3 billion** on healthcare costs every year
- In the Commonwealth, **10%** of all healthcare costs are attributable to smoking
- Smoking is the **#1** cause of preventable death and disease in the
- United States killing over **400,000** people per year



Tobacco Products

‘Classic’ Tobacco Products

- “**Tobacco Products**” means tobacco in any of its forms, including cigarettes, cigars, chewing tobacco, pipe tobacco and bidis.



Snuff



Chew



Cigars



Cigarettes



Bidis

8

The average cost of a pack of cigarettes is \$8.00- \$9.00. According to the MA Department of Public Health, youth smoking rates are decreasing but other tobacco products (i.e. blunt wraps, dissolvable, etc.) on a steady increase.

Blunt Wraps



Bubble Gum



Hip-notiq



Sizzurp

5

A Blunt wrap is a tobacco leaf in the form of a hard hollow tube. Blunt wraps are gaining popularity among high-school and college students because the cost is much lower than a pack of cigarettes. Blunt wraps come in all types of flavors including candy, fruit and liquor. The packaging is bright and trendy enough for young adults to take notice.

New Products

Dissolvable Tobacco



The dissolvable products -- a pill (**Camel Orbs**), a twisted stick the size of a toothpick (**Camel Sticks**), and a film strip for the tongue (**Camel Strips**)

Dissolvable tobacco products are pure nicotine substances and resemble candy or gum. Once placed under your tongue or in your cheek, they dissolve. These products are hip among youth because they are marketed as less hazardous to your health, discreet and can be used in places where smoking is prohibited such as the classroom.

New Products Continued

Hookah



Snus

Snus Refrigerator



Hookah is sweetened tobacco that is inhaled using a water pipe, burned with charcoal, bubbled through water and inhaled through a hose and mouthpiece.

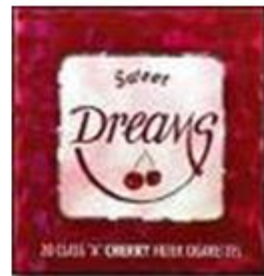
Snus is moist tobacco in a teabag-like pouch. Most products need refrigeration as seen in the illustration. It is used like snuff, except there is no spitting. One pouch has the same amount of nicotine as 3-4 cigarettes.

Hookah

Common Brands & Varieties:

Flavors: apple, apricot, mint, banana
Water can be mixed with wine, ice, fruit juice,
etc.

Pipes and tobacco available online. More
often, smoked at restaurants or hookah bars.
Found in town with colleges or many young
adults



<p>Food & Drug Administration (FDA) Regulations</p>

As of September 22, 2009:

- Retailers cannot sell flavored cigarette products.

As of July 22, 2010:

- Manufacturers may not distribute for sale any tobacco products labeled or advertised as “light,” “low,” “mild,” or similar descriptors.

Understanding Local, State and Federal Laws

TIP:

Certified Tobacco Sales Clerks should understand that it is their responsibility to uphold all local, state and federal laws. If they break the law--- consequences may follow.

Local Board of Health Regulations:

- Must be at least 18 years of age to sell tobacco products.
- Anyone selling tobacco products must complete 1 hour training and pass an exam.
- After successful completion of exam-person will become a "Certified Tobacco Sales Clerk."

- Fines and/or permit suspension for both the Clerk that sold and Owner of establishment.

State Tobacco Regulations:

- Massachusetts General Law Chapter 270, Section 6 reads "Whoever sells a cigarette, chewing tobacco, snuff or any tobacco in any of its form to any person under the age of eighteen or, not being his parent or guardian, gives a cigarette, chewing tobacco, snuff or tobacco in any of its forms to any person under the age of eighteen shall be punished by a fine" of not less than \$100 for the first offense and not less than \$200 for the second offense and not less than \$300 for any third or subsequent offense.
- Smoke-Free Workplace Law

Attorney General Regulations:

- Store clerk must verify the age of any customer buying tobacco that looks under the age of 27.
- The sale of individual cigarettes is prohibited.
- Tobacco products must be sold face to face.
- The sale of flavored cigarettes is prohibited.

Enforcement of Regulations

Tobacco Compliance Checks:

- Conducted by state and local authorities, to monitor compliance with the laws relating to sales of tobacco to minors.
- If sale to minor, Tobacco Program will inform store owner by phone and written verification.
- Board of Health will follow-up with any corrective action necessary.

Store Signage Checks:

- Conducted by state and local authorities, to monitor compliance with the laws relating to mandatory store signage.
- If an establishment is found to be in chronic failure, Board of Health may follow-up with corrective action.

Environmental Tobacco Smoke Inspections:

- Conducted by state and local authorities, to monitor compliance with the Smoke-free workplace law.
- Board of Health will follow-up with any corrective action necessary.
- Fines may range from \$100-\$300 or more if city/town has a more stringent local regulation.

Identification

TIP:

Keep a book at every register that shows each type of valid government issued ID for all 50 States.

YOU SHOULD ALWAYS ID before you sell tobacco products. If you're caught selling tobacco products to minors, YOU CAN BE FINED AND/OR STORE LICENSE CAN BE SUSPENDED. This is a very serious matter. Some employers fire personnel that are caught selling tobacco products to minors.

Forms of Identification:

Legal forms of identification are issued by State or Federal government and must include a photo ID.

The (5) five forms of identification are as follows:

- Valid Massachusetts Driver's License
- Out-of-state driver's license
- State-issued Identification Card
- Military Identification Card
- U.S. Passport

MASSACHUSETTS DRIVER'S LICENSES



MA License



MA Under 21 License

- Massachusetts driver's licenses for those under 21 are vertical and horizontal for anyone over 21

1

STATE IDENTIFICATION CARDS



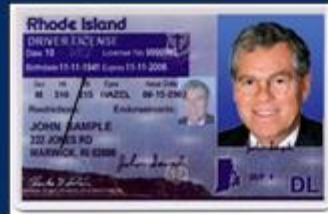
MA Liquor License



MA Under 21 ID

47

CHECKING OUT-OF-STATE ID



48

MILITARY I.D.



49

PASSPORT



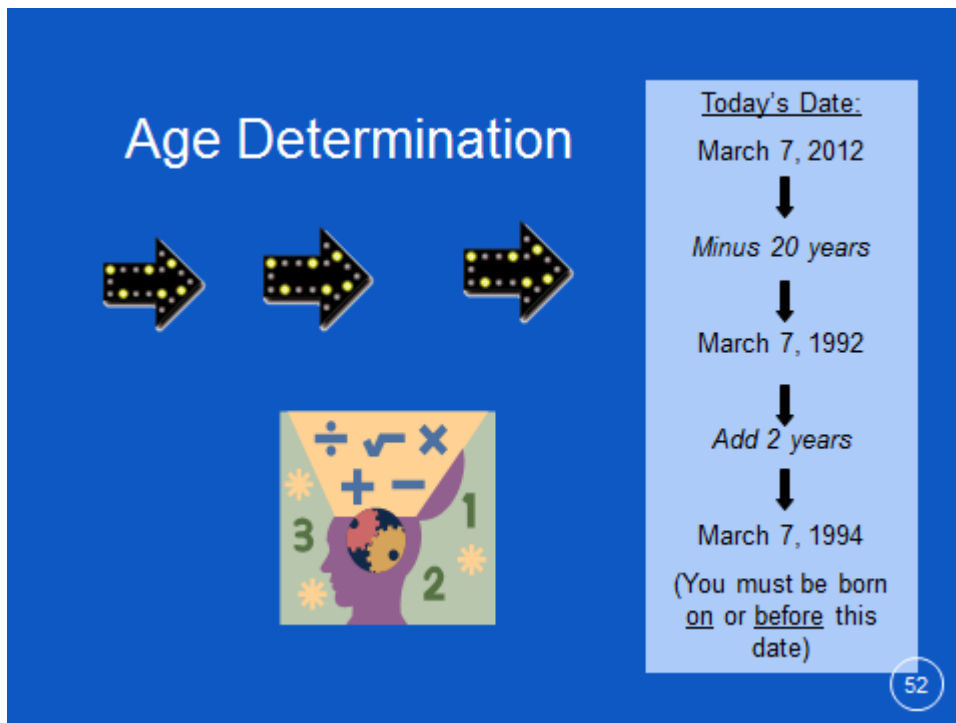
After identification is presented--- Here are some tips of what to look for:

- Date of birth showing that person is at least 18 years of age.
- Massachusetts driver's licenses for those under 21 are vertical and horizontal for anyone over 21.
- You may need to ask the person to remove their license from their wallet or purse to get a closer look.
- Do not accept paper licenses or duplicate IDs since these are easily changed.

Fake IDs

The following characteristics have been found on Fake IDs:

- Bumpy edges or peeled lamination
- Photo doesn't match customer
- Missing seal or logo
- Reverse-side lettering / no barcode



Other helpful tools:

- Day-by-day age verification calendar
- Sign/Sticker reminders
- Age verification scanner

Practice Calculations

If today's date is
October 13, 2007
and the customer's
birth date from a passport
is October 28, 1989. Is this
person old enough to buy
a pack of strawberry
flavored philly cigars?

Today's date:

Oct 13, 2007

- 20 years

Oct 13, 1987

+ 2 years

Oct 13, 1989

Answer: No, this person
is not old enough

You must be born on
or before this date

53

Refusing a sale and dealing with confrontational customers

Here are some helpful ideas:

- Use good judgment
- Present Confidence
- Get the manager to help and if that doesn't help, call law enforcement
- Point out the sign that states the Massachusetts General Law.
- A single sale to a minor is not worth your job.

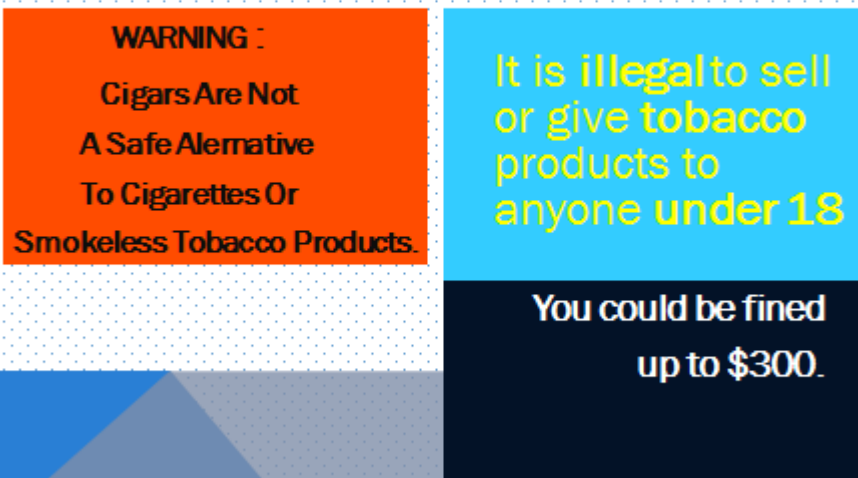
Proper Store Signage

- **Mandatory Signage:**

- Blue & Yellow (Large) Cash Register Sign: Posted at the register with the greatest volume of tobacco sales.
- Blue & Yellow (Small) Cash Register Sign: Posted at all registers.
- Orange Health Warning for cigars: Posted in a clear and conspicuous location that is visible to the customer.

35

MANDATORY STORE SIGNAGE



The image displays three examples of mandatory store signage. On the left is an orange rectangular sign with black text that reads: 'WARNING : Cigars Are Not A Safe Alternative To Cigarettes Or Smokeless Tobacco Products.' To the right of this is a blue rectangular sign with yellow text that reads: 'It is illegal to sell or give tobacco products to anyone under 18'. Below the blue sign is a dark blue rectangular sign with white text that reads: 'You could be fined up to \$300.' The background of the slide features a light blue dotted pattern and a decorative geometric design at the bottom consisting of blue and grey triangles.

37

Signage

TIP:

“We Card” campaign sponsored by Philip Morris & R.J. Reynolds is considered “extra.” Therefore, we suggest materials used be State approved.

- You may display other tobacco signage in your store.
- Example: signage that reminds employees and customers that identification must be verified for anyone who looks under 27 before you sell tobacco.



25

Store Policy

Don't expect employees to comply with regulations if they are not properly trained. It's up to the manager/owner of the store to train their employees accurately. Once the training component is over, it's the responsibility of the clerk to fulfill said regulations.

- When in doubt—ask for identification.
- ID anyone who appears to look under the age of 27.
- Develop a clear and concise written policy that employees must read and sign.
- Review regulations and store policies often.
- Teamwork is key! Remind co-workers and employees daily.

Important Reminders

Review for Exam

Important!

- You **MUST** card anyone who looks under the age of 27.
- You cannot sell any tobacco products to anyone under the age of 18.
- Certified Tobacco Retail Clerks must be 18 years or older.
- As a tobacco retailer, you must comply with Local, State & Attorney General Regulations.

43