



Tobacco retail licensing policies are evidence-based strategies that are foundational for implementation of tobacco endgame policies like Tobacco 21 (T21) implementation, excise taxes, and flavoring restrictions; and can address

Most states work in coordination with federal agencies to conduct annual random compliance checks required by the Synar Program, FDA Compliance Checks, or both.

With the introduction of electronic nicotine delivery systems (ENDS) into the tobacco market and the recent implementation of the federal law raising the minimum sale age from 18 to 21 in December 2019, the tobacco retailer environment has been faced with addressing the changing electronic (elivery licotine



The standards and application of licensure requirement within each state's tobacco sector varied widely. For instance, several state laws interpret licensure requirements differently, as well as the definition and categorization of different tobacco products. As shown in Figure 1, the overall findings indicate wide variances in state usage of licenses, as well as the amount of initial application fee and requirement for renewal. More specifically, some states did not require a licensure fee at all yet other states required fees as high as seven hundred fifty dollars, with frequency of renewal extending as high as five years. Additionally, there is no direct correlation with

Extensive review of literature and state level tobacco retail licensure policies revealed several common elements that support a strong retailer licensure environment. While tobacco retail licensure is a necessary step toward tobacco endgame efforts, considering all elements—enforcement, compliance, licensure fees, and retailer education -- are needed in a comprehensive approach to establish equitable policy recommendations. **3 A I ^ N 5** outlines key elements to be considered when developing sustainable policies at all levels. Additional resources can be found in **3 A I ^ N 4**.

#### *Enforcement and Compliance:*

Enforcement of tobacco retailer requirements can be done at the state or local level, but for many states it is done through the state Department of Health's regulatory control branch. Often the Department of Health has the primary role of enforcement but is supported by other authoritative organizations such as the state Attorney General's office or even the Bureau of Alcohol and Tobacco Control, which may not be housed within the Department of Health. The enforcement body can vary from state to state although effective enforcement practices require a level of collaboration across agencies and within state and local jurisdiction.

Local ordinances and regulations supported by local health departments have been deemed more effective at enforcing compliance in rural communities, where sales of youth tobacco products have increased. <sup>8</sup> One of the benefits of local level compliance checks is the ability to monitor higher risk TRL retailers who have received violations in the past.

Since the annual license and renewal fee for TRL retailers v-3.929 Td ( )TjeT( t)Tj 0.011 Tw (he)Tj -0.152 Tw (9 Tw

including rechecks for violators, serve a dual purpose: they provide a deterrent for underage sales and ensure enforcement of tobacco state statutes and local ordinances. The requirements for conducting compliance checks are not standardized for either the state or local level but with consistency in practice a decrease in sales to youth may be more evident over the long term. <sup>9</sup>





population health. <sup>18</sup> The results of the tobacco retail licensure scan have revealed a lot of variance among licensure requirements and regulations demonstrating a



	establishments, retail stores, shopping malls, sports arenas, theaters, and waiting rooms. A private residence is not a “public place” unless it is used as a childcare, adult day care, or health care facility.
<b>0NrAV^Nn NaoVr{</b>	A measure of the number of tobacco outlets in a defined area.
<b>1`c]VaT</b>	Inhaling, exhaling, burning, or any lighted or heated cigar, cigarette, pipe, hookah, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form. “Smoking” includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Article.
<b>3cIAJJc -ncLsJr</b>	(1) 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; (2) 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 (3) any component, part, or accessory of (1) or (2), whether

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VJNaosnN 0NmsVnN`Na	Should include the process by which the tobacco retailer applies, receives, and maintains permission to sell all tobacco products, including electronic nicotine delivery systems. The requirements should also address form types, deadlines, and the annual renewal process.
VJNaosnN NNo	Annual retail license fee, that is paid by all tobacco retailers, which goes towards the enforcement of licensure requirements. The annual fee should be high enough to comprehensively cover the cost of enforcement, education trainings, and operational or administrative costs. ceal o (.)3.1 (i)8, 4.9 ( (i)-h1p (i)9 (,)2.8 h-7.6





