STATE OF ARIZONA
YOUTH TOBACCO INSPECTIONS

“LIFE IN THE FIELD”

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AGO Inspections

Youth volunteers (“YVs”) recruited through STAND, Explorer Groups, high school presentations, and direct referrals

YV’s are not paid, but may get community service or other school credit for participation

Youth are age 15-17

Youth may not be current tobacco users or have a criminal record
FDA Joint Inspections

Increased efficiency and coverage

Increased safety with police officer

Younger Yv’s trained in AGO move into FDA

Shared recruitment

Businesses held more accountable
Arizona Law  A.R.S. 13-3622

Prohibits a person from knowingly selling, giving, or furnishing any tobacco product, cigarette papers or cigar wraps, other paraphernalia, water pipes, or hookahs to a minor (person under 18 years).

Under A.R.S. § 13-305A3a, a business can be held liable for offenses committed under § 13-3622 by its employees while acting within the scope of their employment.
Arizona Law A.R.S. 13-3622 (continued)

As of September 13, 2013, electronic cigarettes are included in the prohibited products under the furnishing tobacco to a minor statute.

Any product that can be used to vaporize a nicotine solution is covered by the prohibition, including disposable and rechargeable e-cigarettes, e-hookah or hookah “sticks,” e-cigars, e-pipes, etc.
AGO’s COUNTER STRIKE Program

Developed in 2002 in conjunction with Arizona Department of Health Services

Youth volunteers attempt to purchase tobacco products

If retailer sells, clerk given citation for Furnishing Tobacco to a Minor ($300 fine)

Business also cited for same offense ($1000 fine)

If business refuses to sell to youth volunteer, they are notified in writing of the inspection and congratulated for their vigilance in keeping tobacco away from kids.

The program’s goal is to reduce youth access to tobacco in retail outlets by systematically monitoring retailer compliance with state laws which prohibit the sale of tobacco products to minors.
Stories from the Field

Clerks/owners chastising/yelling at kids

Clerks putting in their own date of birth into age verification equipment

7-7-77

Manager telling youth, “Get an older person to come in and buy for you”.

Clerk stating, after looking at I.D., “You’re only 16, are you trying to get me in trouble?” then selling to the minor.

Stories from the Field (Continued)


Major corporation telling their employees “Sting kids can’t lie, so ask them their age”. Sting kids CAN lie, we just don’t want them to. Not trying to trick clerks, just asking them to do their jobs.

We would like clerks and businesses to have the mentality that NO youth should purchase tobacco, not just worry about how to “pass a sting”.
Enforcement Process

Agents approach clerk, identify and describe what they did was wrong, identify clerks via I.D.

Clerk cited and manager/owner contacted via phone if not in the establishment

Agents give clerks and businesses the options available, including asking court for permission to attend Arizona Retailer Tobacco Training. Often, citations dismissed by judge or reduced greatly.
Common Retailer Mistakes

Asking age prior to asking for I.D. (Mindset of passing an inspection rather than focusing on actual age of customer).

Overriding Age Verification Equipment (Doing the math in their head and bypassing age prompts).

Typing in D.O.B. that is not the D.O.B. on I.D.

Most employees are unaware of the Federal Law of mandatory identification for those appearing age 27 or under.

Looking at I.D. picture and not paying attention to the D.O.B. (authenticating I.D. and forgetting about how old the customer actually is).
QUESTIONS?

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