

# Non-Cigarette Tobacco and Nicotine Product Retail Licensing

## Tobacco and Youth

Nearly all tobacco use begins in youth and young adulthood.<sup>i</sup> In Colorado 10.7% (29,300) of youth smoke.<sup>ii</sup> In 2013, 15% of Colorado high schoolers report trying electronic cigarettes. A majority of these youth report it is easy to get tobacco products.<sup>iii</sup>

## Tobacco and the Retail Setting

The retail environment is one of the primary avenues where youth obtain tobacco products.<sup>iv</sup> The tobacco industry spends \$139.1 million in Colorado marketing its deadly products.<sup>v</sup> This means that Big Tobacco spends about \$463 on each Colorado youth aged 15-18.

## Local Licensing = Local Control

Licensing is a common policy tool that local governments use to regulate businesses like retailers, pharmacists, or restaurants. *Licensing retailers who sell tobacco products is one of the most effective ways to significantly reduce youth access to tobacco products.*<sup>vi</sup> Unlike a retailer registry program, a licensing system provides a sustainable funding stream to support education, administration and compliance of tobacco laws. Local licenses can be tailored to meet individual community needs. The community decides the appropriate department(s) to implement and enforce the local license. Local control means that communities are not forced into a one-size fits all approach for licensing retailers who sell tobacco products and protecting local kids.<sup>vii</sup>

## Key Policy Components

- ✓ All non-cigarette tobacco retailers must obtain and renew the license annually.
- ✓ Annual license fee sufficiently funds administration, education, and enforcement.
- ✓ Penalties for violations include suspension and revocation.
- ✓ Under age clerks may not stock, handle, or sell tobacco/nicotine products
- ✓ No self-service displays of tobacco and nicotine products-clerk assistance required
- ✓ No free giveaways of tobacco/nicotine products
- ✓ Annual compliance checks of all, (or a high % of), retailers.

## Resources

---

- i Preventing Tobacco Use Among Young People: A Report of the Surgeon General, Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Office on Smoking and Health, 2012.
- ii 2013 Healthy Kids Colorado Survey. Brief Report: Adolescent Alcohol, Tobacco & Marijuana Use
- iii 2013 Healthy Kids Colorado Survey. Brief Report: Adolescent Alcohol, Tobacco & Marijuana Use
- iv CDC, "Youth Risk Behavior Surveillance, United States, 2013," MMWR 63(No. 4), June 23, 2014, <http://www.cdc.gov/mmwr/pdf/ss/ss6304.pdf>
- v Campaign for Tobacco-Free Kids, The Toll of Tobacco in Colorado, available at: [http://www.tobaccofreekids.org/facts\\_issues/toll\\_us/colorado](http://www.tobaccofreekids.org/facts_issues/toll_us/colorado)
- vi Tobacco Retailer Licensing is Effective, The Center for Tobacco Policy & Organizing, American Lung Association in California, September 2013.
- vii Tobacco Retail Licensing, An Effective Tool in Public Health. Changelab Solutions. Available at: [http://www.changelabsolutions.org/sites/default/files/TobaccoRetailerLicensing\\_factsheet\\_FINAL\\_20120907.pdf](http://www.changelabsolutions.org/sites/default/files/TobaccoRetailerLicensing_factsheet_FINAL_20120907.pdf)



The Colorado School of Public Health provides information and technical assistance on issues related to tobacco and public health. The Colorado School of Public Health does not provide legal representation or legal advice. This document should not be considered legal advice or a substitute for obtaining legal advice from an attorney who can represent you. We recommend that you consult with local legal counsel before implementing any of these measures.