



SOUTHWEST UTAH
PUBLIC HEALTH
DEPARTMENT
PREVENT • PROMOTE • PROTECT

Tobacco Retailers,

Please take the time to read this letter, as it contains information that can help you reduce your risk of underage tobacco sales. It also will help you understand how civil penalties resulting from underage sales can be significantly reduced or removed.

As stated in Utah State Statute **26-42-106**, a hearing officer has the right to reduce a penalty for underage sale of tobacco under two conditions:

- (a) the licensee has implemented a documented employee training program; and
- (b) the employee has completed that training program within 30 days of commencing duties of selling tobacco products.

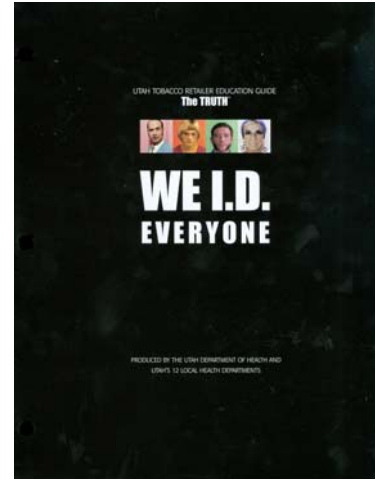
The intent of this letter is to make tobacco retailers, within the jurisdiction of the Southwest Utah Public Health Department, aware of which employee training programs are recognized by the department and its hearing officer. It is also intended to help you, the retailer, better understand the policy of the Health Department in reducing or removing civil penalties.

There are two tobacco training programs that are recognized by the Southwest Utah Public Health Department **without question**. The first recognized training is the training program offered through the department to retailers and their employees on a regular basis. This nationally recognized tobacco training is meant to be a resource to retail owners/management in providing a comprehensive training on the regulations for selling tobacco in the state of Utah. This program has been proven to reduce the sale of tobacco to minors. Retailers, having sent their employees to this training within 30 days of hire, will have civil penalties removed upon a first violation and will be considered for reduction in penalties upon subsequent violations. Upon completion, this training is good for 2 years, and transfers with the individual. If you have questions about a current employee's training status or new hire's previous training status, please call our office at **435-986-2567**. This training is provided at a fee of \$15 per person.

The second training program recognized by the Health Department is the Utah Tobacco Retailer Education Guide, also known as We I.D. Everyone (see figure), developed in conjunction with the Utah Department of Health and other local health departments throughout the state. This program is meant to be an in-house training program used during orientation of new employees and is offered at no cost to interested retailers.

Retailers, implementing this program with employees within 30 days of hire, will be eligible to have their civil penalties reduced by half upon a first violation, and will be considered for reduction in penalties upon subsequent violations.

It is important to note that in order for the Utah Tobacco Retailer Education Guide (WE I.D. Everyone) to be considered “documented” as the state law requires, documentation of completion must be on file in our office prior to the offense occurring. All documentation must include the following: (1) name of retailer, (2) the date of hire of the employee, (3) signed and dated quiz indicating understanding of the content (page 11-12 of the binder), (4) signed and dated proof of tobacco training document (page 27 of binder). Documentation may be mailed or faxed. Please mail or fax your documentation in care of Tobacco Retail Program to the following:



(Utah Tobacco Retailer Education Guide)

Fax: **(435) 652-4069**

Mail: 620 S. 400 East #400
Saint George, UT 84770

If you have questions on either of these programs or on how to implement the training with your employees, please call **(435) 986-2593**.

All other trainings are subject to the discretion of the hearing officer, and may or may not be considered comprehensive enough to qualify for a reduction in penalty. Two programs already deemed as unacceptable by the department and its hearing officer are Techniques of Alcohol and Tobacco Management (TATM) and Eliminate Alcohol Sales to Youth (EASY).

This policy will be effective as of May 21, 2008.

We appreciate all your support and hope you will continue to work with us in an effort eliminate the sale of tobacco products to minors. If you have any questions with regards to this letter or any other issue involving tobacco sales, please feel free to call us at the number listed above.

Sincerely,

Jordan Mathis
Hearing Officer