



***Disclaimer:** This **SAMPLE** Company Tobacco Sales Policy FORM is provided as a service of The *We Card* Program, Inc. It is NOT intended to provide legal advice or analysis. This **SAMPLE** Company Tobacco Sales Policy FORM is not intended to be a complete representation of all federal, state law or local law, or federal Food & Drug Administration (FDA) regulations, which may contain additional requirements relating to tobacco product sales not mentioned in this **SAMPLE**, and users should not rely on this **SAMPLE** Company Tobacco Sales Policy as complete or accurate descriptions of applicable federal, state or local law, or FDA regulations. The *We Card* Program, Inc. encourages users to amend and adapt this FORM, with the assistance and advice of counsel, to reflect each state's unique laws. Check with local authorities for variations from state law.

COMPANY TOBACCO SALES POLICY

AND

EMPLOYEE ACKNOWLEDGEMENT OF COMPANY POLICY

Our Company has a youth access to tobacco policy that is designed to prohibit the sale of tobacco and tobacco-related products to customers under the legal age.

Our Company requires all store-level employees involved in customer transactions to comply with the Food and Drug Administration (FDA) Regulations and applicable state and local laws governing the prevention of tobacco sales to minors.

STORE LEVEL EMPLOYEES MUST ADHERE TO FDA REGULATIONS, INCLUDING:

- Do not sell cigarettes, smokeless tobacco or roll-your-own tobacco to anyone younger than 18 years old.**
- Check proof of age for anyone under 27 years old by verifying that any person buying cigarettes or smokeless tobacco is at least 18 years old** by means of photo- graphic identification (photo ID) containing the bearer's date of birth.
- Sell cigarettes, smokeless tobacco or roll-your-own tobacco only in a direct face-to-face exchange between you and your customer. Vending machines and self-service displays are prohibited except in places where nobody under 18 is allowed to enter.
- Do not sell single cigarettes ("loosies") or break open packs of 20 cigarettes to sell them in quantities of less than 20 cigarettes OR sell any quantity of smokeless tobacco that is smaller than the smallest package distributed by the manufacturer for individual consumer use.

***Minimum age for tobacco customers is 18 years old (or 19 years old in AL, AK, NJ & UT or where local laws may be higher than 18 years old).*

OUR COMPANY FURTHER AGREES TO COMPLY WITH FDA REGULATIONS THAT REQUIRE RETAILERS TO:

- Remove any promotional items in the retail environment that violate the regulations, such as self-service displays and certain advertising and labeling.
- Not sell cigarettes with fruit or candy characterizing flavors.

OUR COMPANY WILL ALSO ADHERE TO FDA REGULATIONS THAT:

- Prohibit free samples of cigarettes and limit distribution of smokeless tobacco products.
- Prohibit tobacco brand name sponsorship of any athletic, musical, or other social or cultural event, or any team or entry in those events.
- Prohibit gifts or other items in exchange for buying cigarettes or smokeless tobacco products.
- Require that audio ads use only words with no music or sound effects.
- Prohibits the sale or give away of items, such as hats, t-shirts, or lighters, with cigarette and smokeless tobacco brands or logos.

Our Company will provide customer transaction-focused training to store employees who must responsibly retail tobacco products, including preventing tobacco sales to underage customers.

Employees must make every reasonable effort to properly identify and deny tobacco sales to minors.

Employees in violation of this Policy will be subject to disciplinary action from the Company.

Employees have the right to deny a tobacco sale to a customer if there is any question that making the sale would violate the law.

Unless otherwise required by law, Company employees must require one of the following current and valid photo-ID cards to establish a customer's legal age to purchase tobacco or tobacco-related products.

1. State-Issued Driver's License;
2. State-Issued Identification Card;
3. Passport;
4. Military-Issued Identification Card

Company employees must promptly inform their supervisor if they become aware of violations of laws that prohibit:

1. The purchase or attempted purchase of tobacco by minors;
2. Persons from supplying tobacco to minors;
3. Theft of tobacco; and
4. The alteration or misuse of a government-issued ID card in connection with an attempt to purchase tobacco.

Company employees should know that the FDA and state and local authorities may conduct compliance checks of a store and an employee's actions to determine if the requirements - of asking for identification of customers under the age of 27 and the subsequent denial of tobacco sales to any underage customer - are being met. Other inspections by government representatives may also occur at the store level to determine if other regulations and laws are followed - such as the proper posting of any state-required signs or the illegal offering of single cigarette sales.

The Company may also conduct unannounced mystery shops of its stores and employees to determine whether or not this Policy and laws and regulations are being followed.

FAILURE TO FOLLOW THE COMPANY POLICY, BY NOT CARDING INDIVIDUALS WHO ARE UNDER 27 YEARS OLD OR SELLING TO A MINOR, COULD RESULT IN THE FOLLOWING:

- Store fines
- Loss of your store's tobacco license
- Company discipline
- Personal fines

Responsible retailing of tobacco products is a daily activity for our Company and our employees, and we are committed to executing that responsibility.

EMPLOYEE ACKNOWLEDGEMENT OF COMPANY POLICY

Employee Name (please print full name)

Employee Signature

Date