



Guide to Best Practices

A Comprehensive Guide to
Preventing Underage Tobacco
& Vaping Product Sales

Updated
January
2025



Introduction

Since 1995 *We Card* has conducted on-going internal research, analyzed external research, retailer business practices and compliance success and failure – all in effort to provide retailers the best training and education services to assist them in their efforts to prevent age-restricted product sales to minors.

We Card has compiled what has been learned from these experiences into the *We Card Guide to Best Practices*, which serves as a comprehensive guide to preventing underage tobacco and vaping product sales.

By implementing these practices and processes within your company and at the store level, you will be establishing successful strategies followed by retailers nationwide to prevent underage tobacco and vaping product sales and improve compliance performance.

Next: Helpful Icons You Will See



Helpful Icons You Will See

So that you can get the most out of the *We Card Guide to Best Practices*, we've used some symbols, or *icons*, in this document to mark items you should pay special attention to.



Whenever you see this icon, it means we are pointing out a *Best Practice* that is an **FDA Recommendation For Training Programs*** and you may want to pay special attention to this section.

*Based upon FDA Guidance for Tobacco Retailer Training Programs



If you see this icon, it tells you there's an [interactive link](#) embedded in this document to help you take action related to the *Best Practice* page you are reading.

Next: We Card Best Practices Overview

Best Practices Overview



#1. Make Sure Store Policies Are Fair and Consistent



#2. Provide Regular Employee Training Focused on Preventing Underage Age-Restricted Product Sales

#3. Offer Computer-Based Training to More Efficiently Train and Track Employee Progress



#4. Educate Employees About Federal Law, FDA Regulations, State Laws and Store Policies... Including Why Minors Should Not Have Access to Tobacco and Vaping Products



#5. Train and Require Every Employee to Ask For Identification From Every Person Under the Age of 30 Who Attempts to Purchase Tobacco and Vaping Products



#6. Simulate Difficult Situations That Occur at the Point-Of-Sale

#7. Train Younger Employees to Handle Peer Pressure

#8. Provide Employees With Age Verification Tools & Practice Using Them

#9. Be On Guard For Adult-For-Underage Youth Purchases



#10. Require All Employees to Pass a Test

#11. Continuously Supervise and Offer Positive Recognition

#12. Prominently Display Proper Signage

#13. Use Point-of-Sale Tools Effectively

#14. Keep Employees Up-to-Date on Changing Tobacco & Vapor Sales Laws and Industry News



#15. Know Where Your Store Stands: Periodically Check Store Compliance

#16. Be a Responsible Retailer: Get Involved in Your Local Community



1

Make Sure Store Policies Are Fair and Consistent



Setting up fair and consistent store policies is a good way to make sure employees clearly understand their responsibility to refuse underage tobacco sales, especially in those situations not covered by federal law, FDA regulations or state law.

When sales associates fail to ask for ID, swift disciplinary action works well when used appropriately (when forming policies, remember, cashiers who fail compliance checks can often be the ones who never fail again.) Hold management as well as sales associates accountable for their store's compliance with the law.

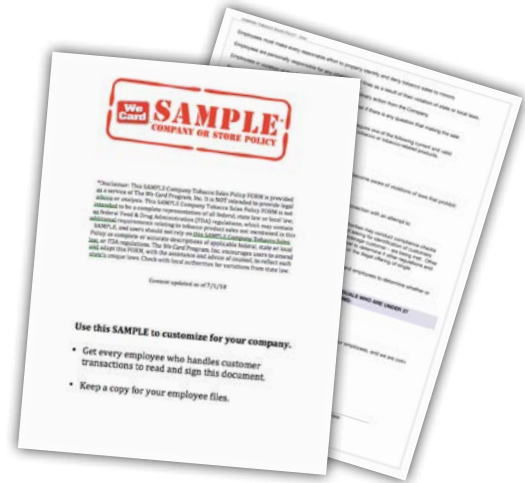
What you can do:

Insure your policies are clear and your employees understand them. Adopt and enforce a written company policy against age-restricted product sales to minors.

YOU CAN:



Download *We Card's* Template for a written Company or Store Policy Available at: [We Card's Resource Center](#)



2

Provide Regular Employee Training Focused on Preventing Underage Age-Restricted Product Sales

FDA
*REC
For Training
Programs

Training is not a one-and-done activity; it's an ongoing effort that should result in your employees gaining the knowledge, skills and abilities required to responsibly retail tobacco products.

We Card recommends:

- Training employees on a regular basis
- Train all newly hired employees.
- Offer employees periodic re-training or "refresher training" of experienced employees.
- Provide remedial training for sales associates who are not properly following store policy.

What you can do:

Update your training. Make sure you understand FDA regulation of tobacco and vaping products and FDA requirements of retailers as well as what they mean for you.

YOU CAN:



[Take We Card Online Training right now!](#)



Employee Training Course



Refresher Training



Manager Training

3

Offer Computer-Based Training to More Efficiently Train & Track Employee Progress

An effective employee training program should be available immediately for newly-hired employees. Experienced employees should also have “refresher training” opportunities while remedial training should be available for those in need.

Every *We Card* Online Training course that your employees take is graded and stored in our database so you have a record of when your employees took the training and how they did.

What you can do:


Find computer training that works for your company’s specific needs.



YOU CAN:  [Go to We Card training](#)

Help For Computer Based Training

- Need *We Card* training to work on your computer systems?
- Have a company Learning Management System and want to license *We Card* training?

YOU CAN:  [Send a message to We Card’s training experts: support@wecard.org](#)

4

Educate Employees About Federal Law, FDA Regulations, State Laws and Store Policies... Including Why Minors Should Not Have Access to Age-Restricted Products

**FDA
*REC**
For Training Programs

Federal law and FDA regulations—and all 50 states and the District of Columbia—make it illegal to sell tobacco and vaping products to minors.

Make sure your employees understand the FDA regulations, the state law and your store policies.

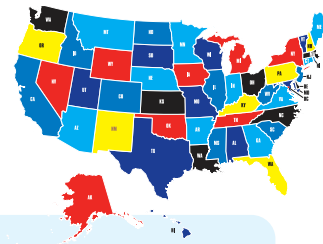
Communicate with your employees about the critical role they play in identifying and denying underage tobacco and vaping product purchase attempts along with the reasons it is important to prevent those sales.

What you can do:

YOU CAN:  [See summaries of FDA requirements](#)

YOU CAN:  [Take me to the FDA website](#)

YOU CAN:  [See your state law summary](#)



DID YOU KNOW?

- Thousands of people who are too young to legally buy tobacco start using it every year.*
- Evidence indicates that the younger someone is when they start using tobacco, the more likely they will suffer from a disease associated with tobacco use.*
- Retail stores are a source of tobacco products for those underage.*
- Latest government compliance checks indicate that underage tobacco purchasers are successful about one out of 10 times. But this can vary greatly by state, store policies, practices and training.*

* For sources and additional information, visit the We Card website at: www.wecard.org/message

5

Train and Require Every Employee to Ask For Valid Identification From Every Person Under the Age of 30 Who Attempts to Purchase Tobacco and Vaping Products

**FDA
*REC**
For Training
Programs

For FDA-regulated products, FDA requires retailers to:


- check proof of age for anyone under 30 years old
- deny sales to anyone under 21 years old.

We Card trains your employees to THINK 30 instead of “old enough” and to recognize age clues and strategies minors use to fool cashiers into selling to them.



What you can do:

YOU CAN:  [Go to We Card Online Training](#)

YOU CAN:  [See Minor License Visual Characteristics](#)

RETAIL EMPLOYEES SAY:

A top reason cashiers fail compliance checks is because they thought the person at the counter looked “old enough” to purchase tobacco.

* For sources and additional information, visit the We Card website at: www.wecard.org/message



6

Simulate Difficult Situations That Occur at the Point-Of-Sale



Did you know that one of the top three reasons cashiers fail compliance checks is because the store was busy and they didn't take the time to do the right thing?

Your employees' knowledge and skills at the point-of-sale becomes a critical point where success or failure occurs at identifying and denying underage purchase attempts. Difficult situations with customers can trip up even the most experienced cashiers.

Employees are more likely to succeed (refuse underage tobacco and vaping product sales) when they feel prepared and confident. Role-playing (practicing simulated difficult situations) is a great way for employees to learn how to deal with confrontational situations they may face at the sales counter.

What you can do:

Prepare employees for difficult situations behind the counter. *We Card* online training includes simulated role-playing with interactive customer/cashier scenarios.

YOU CAN:  [Go to We Card Online Training](#)



Tips for Tough Situations



**Use AERO
(We Card's strategy
for denying sales)**

Simulated Difficult Situations in We Card's Online Training

stop third
party sales



refuse
a sale

A-E-R-O



handle angry
customers

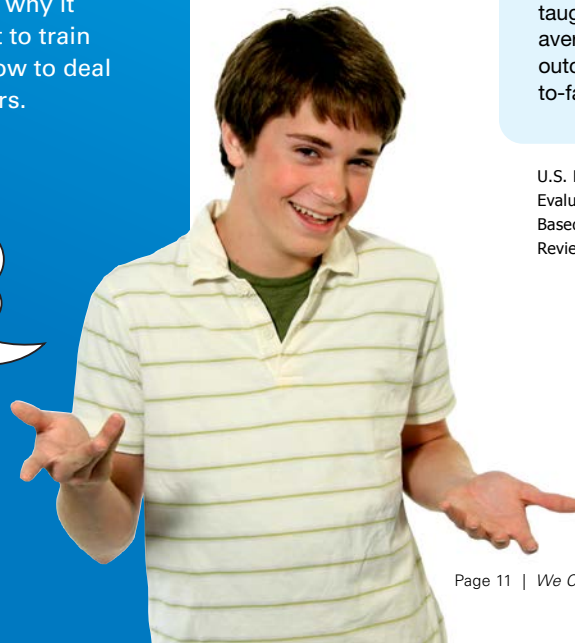
7

Train Younger Employees to Handle Peer Pressure

Younger employees may encounter situations where friends or others their age may attempt to purchase age-restricted products.

A stressful dynamic exists when a minor must refuse a sale to another minor. That is why it is extremely important to train younger employees how to deal with it BEFORE it occurs.

Come on!
We go way back.
Just this one time?



What you can do:

YOU CAN:  [Go to We Card Online Training](#)

Younger Employees & Online Learning

DID YOU KNOW?

A 2009 study by the U.S. Department of Education found that online students outperformed those receiving face-to-face instruction. “The overall finding ... is that classes with online learning (whether taught completely online or blended) on average produce stronger student learning outcomes than do classes with solely face-to-face instruction.”

U.S. Department of Education, Office of Planning, Evaluation, and Policy Development, Evaluation of Evidence-Based Practices in Online Learning: A Meta-Analysis and Review of Online Learning Studies, Washington, D.C., 2009.

8

Provide Employees With Age Verification Tools & Practice Using Them

Research conducted by *We Card* shows that employees who fail compliance checks often do so after they have asked for ID. Many employees look at the ID and then don't do the age calculation properly and proceed with the sale. One of the reasons given is that "I thought that they were old enough to buy—even with an ID showing the person is underage."

We Card recommends that you adopt the age verification process that is right for you and reduce the chance of an age calculation error.

ID scanning technology is becoming more common and will likely become the standard when it comes to checking IDs and verifying a buyer's age. Most ID scanners work with your existing POS to read the ID barcodes on the valid government issued identification and return a result that allows you to verify a customer's age. We know that newer age verification technology and scanners can help reduce employee "carding" errors.

And even with an assist from the latest technology, employees still need the training to ensure the customer's photo matches the ID and, if something goes awry with scanning technology, be ready and able to manually "card" every customer under the age of 30 buying an age restricted product.

We encourage you to explore the options and find the right tools for your store and practice using the tools and technology including the old stand by: calculating age manually.

What you can do:

Provide your store with age verification tools and include practice using those tools in your training program.

YOU CAN:



[Consider ID scanning](#)
— [view video](#)



Explore your POS system's ID scanning options.

YOU CAN:



[Explore Tools](#)
[powered by We Card](#)



From *We Card*'s long standing tool for cashiers, the Age of Purchase Calendar to our Smartphone App "Age Checker" and the age calculation tool website—wecardnow.com—here are multiple options to consider.

YOU CAN:



[Practice Calculating Age in We Card](#)
[Online Training](#)

We Card training provides multiple opportunities to role play and practice to ensure your employees are training and prepared for age restricted product sales transactions.

9

Be On Guard For Adult Purchases On Behalf Of Underage Youth

Did you know?

Underage youth say they get vapor or tobacco from other sources **80% to 90% of the time.**

Research shows that the gifting, proxy purchase by another, or transfer from one to another, such as “bumming” or “borrowing” is a big problem. This is called a “social source.”

— underageaccess.wecard.org/facts

While retailers may sell to an adult, the product can still find its way to someone underage. Retailers have an opportunity to look for these sales and stop them.

If you can reasonably determine that an adult is buying age-restricted products for underage youth, you should deny the sale.

What you can do:

If you have reason to believe that an adult is buying age-restricted products for someone underage, the responsible thing to do is **refuse the sale.**

YOU CAN:

Make sure your employees are trained. *We Card* training has role playing exercises to help you spot an adult for underage purchase. wecard.org/gettrained

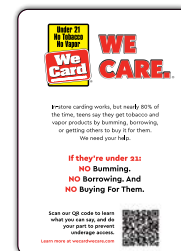
Order a FREE campaign kit to alert customers. Two campaign options available while supplies last.

wecard.org/free-kit

If they're under 21:
NO Bumming.
NO Borrowing. And
NO Buying For Them.

Check to see if manufacturers have set purchase limits (the quantity or amount of product you can sell in one transaction)

[Learn more about Manufacturers' Purchase Limits](https://wecard.org/free-kit)



Spotting Adult Buys for Underage Youth Be on the look-out for:

- Large Quantity Purchases of vaping or tobacco products
Young adults make large purchases and re-sell or give to underage teens.
- Multi-brand purchases
Sometimes a multi-brand purchase can mean an adult is buying for underage teens.

10

Require All Employees to Pass a Test

**FDA
*REC**
For Training
Programs

How do you know your employees have learned what they need to know to prevent illegal tobacco & vaping product sales to minors? Require all employees to pass a test after their comprehensive training, their remedial or Refresher Training.

What you can do:

We Card's online training modules all include end-of-training tests that employees must successfully pass in order to earn a Certificate of Completion.

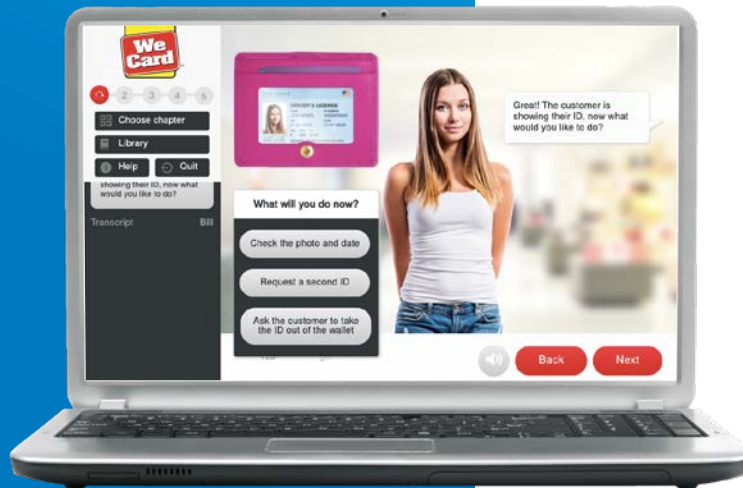
YOU CAN:  [Take We Card Online Training right now!](#)



Employee Training Course



Refresher Training



11

Continuously Supervise and Offer Positive Recognition


It's extremely important to coach and develop your employees. One of the best ways to do this is to provide positive reinforcement when they do the right things and constructive feedback when they do the wrong things. If you don't, your employees will do what they think is right instead of what you know is right.


Management should make preventing underage tobacco & vaping product sales a priority and consistently reinforce this issue at periodic meetings during training. If laws are mentioned only when an employee is hired, sales associates may mistakenly believe it's not an important issue to the store. Continuous follow-up training and discussion about preventing underage tobacco & vaping product sales not only reinforces proper behaviors but also sends a strong message to the staff that this is a serious subject.

Offer rewards and positive reinforcement when an underage customer is denied age-restricted products. Too often we only communicate with the sales associate when they've failed to properly check ID. If the video cameras are available, use them to monitor employee performance. If the staff knows their performance is being watched, they will be more likely to take the necessary steps to always perform their job properly.

What you can do:

Provide your store with age verification tools so your employees can practice calculating a customer's age.

YOU CAN:  [Take We Card Online Training right now](#)

YOU CAN:  [Help me design a program for my store](#)



12

Prominently Display Proper Signage

Appropriate signage conveys a message—to your employees and your customers—about your commitment to responsible retailing.

Retail outlets have a reputation in the eyes of minors as either being an easy or difficult place to buy age-restricted products. Displaying responsible retailing signage—such as *We Card* signage and any state-required signage—demonstrates your commitment to responsible retailing.

What you can do:

Display responsible retailing signage.

YOU CAN:  [Purchase *We Card* Signage & Materials](#)

YOU CAN:  [Post your state's required state government sign.](#)

YOU CAN:  [See your state law summary](#)






13

Use Point-of-Sale Tools Effectively

The sales counter is where everything your employees have learned becomes critical. Make sure they have the right job aids they need to responsibly retail age-restricted products. Age Calculation tools, tipsheets and customer-facing signage all help employees perform their responsible retailing tasks.

What you can do:

- YOU CAN:**  [See the latest *We Card* Point-of-Sale tools](#)
- YOU CAN:**  [Take *We Card* Online Training right now](#)
- YOU CAN:**  [Practice Calculating Age in the *We Card* Employee Training Course](#)



14

Keep Employees Up-to-Date on Changing Tobacco & Vapor Sales Laws and Industry News

**FDA
*REC**
For Training
Programs

State and Federal Sales Laws and company policies on Vaping and Tobacco sales change frequently.

Take steps to stay current and get the latest news on tobacco and vaping sales regulations by subscribing to state and federal law update newsletters, using industry resources, and keeping in contact with fellow retailers who share information.

It's vitally important to keep your front-line employees up-to-date on existing laws and regulations. Keep employees informed through regular newsletters, refresher training and posting signs in the employee area.

Along with these regular efforts, consider joining a state level and/or national association to make sure you learn breaking news when it happens. Trade organizations focus their offerings on providing you important updates, best practices and regular industry information.

What you can do:

Take proactive steps to stay informed.

YOU CAN:  [Sign up for We Card eNews Alerts](#)

YOU CAN:  [Follow us on X at @WeCardTraining](#)



YOU CAN:  [Find us on Facebook](#)



YOU CAN:  [Learn FDA Regulations](#)

- Requirements of Retailers
- Additional Requirements
- FDA Compliance Checks
- FDA Fines & Penalties

YOU CAN:  [Join an industry association](#)

15

Know Where Your Store Stands: Periodically Check Store Compliance

**FDA
*REC**
For Training
Programs

While testing your employees' knowledge after training is important, it's also important to evaluate your employees' performance at the sales counter with mystery shopping. When it comes to responsible retailing, knowing and performing should go hand-in-hand.

Take a proactive step and develop an internal compliance check program to gauge whether or not employees are asking for identification of tobacco, vaping and nicotine pouches product customers under 30 years old and properly calculating age.

Mystery shop companies exist to perform this service, **We Card's ID Check-Up** service is specifically designed for the small store operator.

When employees know that management is checking compliance on a regular basis, it can be a powerful deterrent against misconduct.

What you can do:

Provide management with a tool and frontline employees with immediate feedback on their job performance by mystery shopping your own store(s).

YOU CAN:



[Sign up for We Card's ID Check-Up Service and find out how your store is doing](#)



16

Be a Responsible Retailer: Get Involved in Your Local Community




Owners and managers know that they are prominent members of the local community where their stores operate. Stores are often in high traffic areas where local residents come and go picking up needed items.

This provides a great opportunity to let customers and community members know of your commitment to the local community and responsible retailing.

There are so many ways to engage in local community activities -- sponsoring a local sports team or civic club, offering promotional items for community fund-raisers and engaging with community leaders in discussions about local issues.

Posting store policies and store retailing practices let everyone know that your store is committed to being a responsible member of the community.

What you can do:

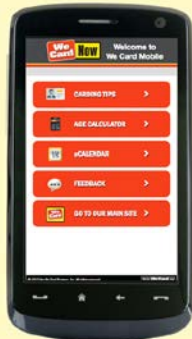
- YOU CAN:**  [Find my local chamber of commerce](#)
- YOU CAN:**  [Find my local police department](#)
- YOU CAN:**  Take *We Card's* Retailer Pledge
wecard.org/thepledge



Responsible Retailing Resources

About We Card

The We Card Program is a national non-profit organization focused on ensuring that age-restricted product retailers are fully educated, trained and prepared to reject underage sales.



**When you need We Card
at your fingertips!**



wecardnow.com

We Card eLearning Center



Award-winning training, now even better!

• Employee • Refresher • Manager

Learn FDA Requirements of Retailers, Rules on Regulated Products, FDA Fines and Penalties

**Based upon FDA Guidance for Tobacco Retailer Training Programs*

Additional interactive exercises and more practice in the steps employees need to prevent tobacco sales to minors.

Built to be LMS-ready and SCORM-compliant. Ask for a test drive on your LMS!



Equip Your Stores



Call 1-800-934-3968 or visit wecard.org.

Mystery Shopping

We Card offers the ID Check-Up mystery shopping service at a low cost of \$33 per mystery shop which allows even the smallest retail store to participate in an ID checking system that is proven to increase carding rates.

