

[Company]  
[Company Address]

Effective October 12, 2021

\*Disclaimer: This template of a "Company Tobacco 21 Policy" is provided as a service of the State of Nevada, Division of Public and Behavioral Health, Tobacco Control Program.

It is NOT intended to provide legal advice or analysis. This template 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 or vaping product sales not mentioned in this template. Users should not rely on this template as complete or accurate descriptions of applicable federal, state or local law, or FDA regulations. The Tobacco Control Program encourages users to amend and adapt this template, with the assistance and advice of counsel, to reflect anything unique. Check with local authorities for variations from state law.

**Use this template to customize for your company.**

All employees who handle customer transactions should review the company policy with a supervisor and indicate agreement by signing. Two (2) copies of the signed policy should be made; one for the employee's record and one for the business's record/ employee files.

[Policy Title]

*(Example Policy Title: Tobacco Product's Sales Policy)*

**&**

**Employee Acknowledgement of Company Policy**

[Policy Title]  
[Company]  
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This policy outlines all you need to know regarding the sale of tobacco product(s). According to the Center for Disease Control and Prevention, in 2021, over 2 million Middle School Youth and High School Youth reported using tobacco, in one form or another. Tobacco use is known to increase risk for the development of many diseases including heart disease, stroke, Alzheimer's disease and other dementias, asthma and other respiratory and lung diseases, and many types of cancer. Youth and Young Adult's use of tobacco has now been deemed an epidemic of great proportions. In response, the legal age of purchase for tobacco products has been increased to 21, known as the Tobacco 21 Law. The goal of Tobacco 21 Law is to reduce the number of youth and young adults who are using e-cigarettes and other tobacco products by eliminating access. [Name of Company] cares about the health and well-being of youth in our community and requires all employees to comply will all Federal and State Laws and Regulations regarding Tobacco 21.

[Name of Company] has initiated a commitment to utilizing the Nevada Tobacco Retailer Training and Certification Program to ensure all employees are trained and understand how to comply with Tobacco 21 Laws and Regulations. This training and certification are required by all company employees, regardless of title.

[Name of Company] will provide customer transaction-focused training to store employees who must responsibly sell tobacco products, including preventing illegal sales to underage customers.

Employees must make every reasonable effort to properly identify and deny tobacco product sales to underage customers.

Employees are personally responsible for any violations of State Laws and Regulations, including any associated penalty and/or fine.

Employees in violation of this Policy will be subject to disciplinary action from [Name of Company], up to and including termination.

Employees have the right to deny a tobacco product 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 potential violations of the laws, including:

1. The purchase or attempted purchase of tobacco and vaping products by underage customers
2. Customers purchasing tobacco products and giving it to underage customers
3. Theft of tobacco products and
4. The alteration or misuse of a government-issued ID card in connection with an attempt to purchase tobacco products.

Company employees should know that the Federal Drug Administration and State of Nevada Attorney General's Office will conduct compliance checks of a store and an employee's actions to determine if the requirements - asking for identification of customers under the age of 30 - denial of tobacco product sales to any underage customer - are being met.

Additional inspections by other 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.

[Name of Company] may also conduct unannounced mystery shops of its stores and employees to determine whether this Policy and Tobacco 21 Law are being followed by company employees.

Failure to follow the Company Policy and Tobacco 21 Law, could result in the following:

- Store issued fines from the Federal Drug Administration, Nevada Attorney General, or both
- Loss of our Company's Tobacco License (License to Sell Tobacco)
- Company issued discipline/consequences
- Fines issued to individual employees issued from the Attorney General's Office

Company employees must adhere to Federal Drug Administration Regulations and State of Nevada Tobacco 21 Law. You will be expected to comply by:

- **Denying tobacco sales to anyone under the age of 21 years. No exceptions.**
- **Verifying the age for anyone who could be under 30 years old - each-and-every time**
- **Denying tobacco sales for all the following:**
  - when the customer is **underage**
  - when the customer has **no photo ID**
  - when the customer's photo ID contains **no date-of-birth**

- when the customer's photo ID has **expired**
- [Name of Company] agrees to comply with Federal Drug Administration Regulations that apply to the regulated tobacco products and their corresponding restrictions of: Cigarettes, cigarette tobacco and roll-your-own tobacco
  - Do NOT break open cigarette packages to sell products in smaller amounts.
  - Do NOT sell single cigarettes, also called “loosies.”
  - Do NOT sell cigarette packages containing fewer than 20 cigarettes.  
Do NOT sell flavored cigarettes, cigarette tobacco or roll-your-own tobacco (other than menthol or tobacco)
  - Only sell in a direct face-to-face exchange\*.
- Smokeless tobacco
  - Do NOT break open packages to sell products in smaller amounts.
  - Only sell in a direct face-to-face exchange\*.
  - Do NOT sell without a health warning label.
- Cigars, Hookah & Pipe tobacco
- Dissolvable tobacco products
- Electronic Nicotine Delivery System (ENDS), which are products such as:
  - e-cigarettes, e-hookah, e-cigars, vape pens
  - advanced refillable personal vaporizers
  - electronic pipes
  - Components and Parts, such as:
    - e-liquids\*\*
    - atomizers
    - batteries (with or without variable voltage)
    - cartomizers (atomizer plus replaceable fluid-filled cartridge)
    - digital display/lights to adjust settings
    - clearomisers, tank systems
    - flavors, vials that contain e-liquids
    - programmable software
- **Do NOT give away free samples** of any of these regulated products or components or parts.  
EXCEPTION: Excluded from FDA regulation are accessories, such as: ashtrays, spittoons, hookah tongs, cigar clips and stands, pipe pouches, humidors.

\*The sale of cigarettes, cigarette tobacco and smokeless tobacco through vending machines and self-service displays are allowed in adult-only facilities where no person younger than 21 is permitted to enter or be present.

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**Employee Acknowledgement of Company Policy**

Being a Nevada Responsible Tobacco Retailer is the responsibility of all employees. All employees will be held accountable to the goal of reducing the number of youth and young adults in our community who are using tobacco products by complying with Federal and State of Nevada Tobacco 21 Laws and Regulations.

By signing below, I am acknowledging receipt of this Company Policy for my records, and pledge to do my due diligence in complying with all Federal and State of Nevada Tobacco 21 Laws and Regulations.

\_\_\_\_\_  
Employee Print Name

\_\_\_\_\_  
Manager Print Name

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Manager Signature