Nevada Responsible Tobacco Retailer

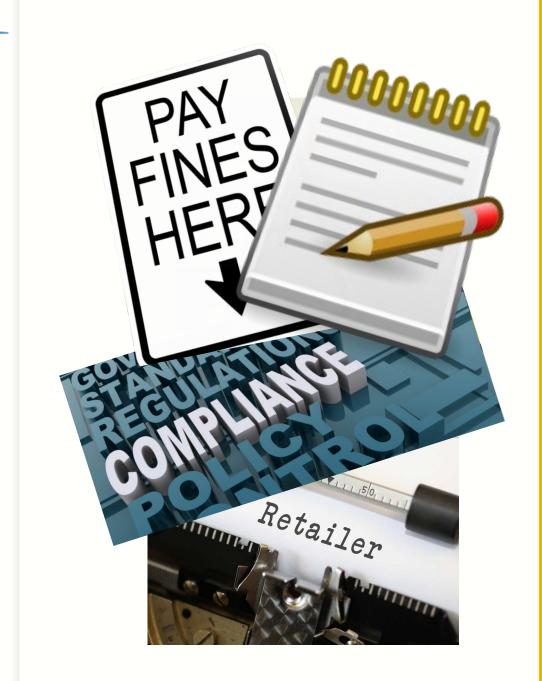
Training Module



Compliance Inspections

&

Fines and Penalties



State of Nevada- Compliance Inspections

As a condition of receiving federal substance abuse block grant funds, federal law requires the state to conduct <u>random</u>, <u>unannounced inspections</u> of tobacco outlets to determine compliance rates. Underage customers may be enlisted to test compliance at retail locations.

The Attorney General's Office will coordinate inspections. Upon the completion of a check, the supervisor must prepare a report that includes, among other things, the name and position of the person from whom the underage customer attempted to purchase Restricted Products, the name and address of the establishment at which the purchase was attempted and the result of the inspection.

A retail clerk/employee/agent of licensee who violates this section is liable for a civil penalty of:

Nevada Fines & Penalties- Retail Employee		
# of Violations	Fine	
1st within 24 months	\$100	
2nd within 24 months	\$250	
3rd + within 24 months	\$500	

In conjunction, the retail licensee/owner will also be liable for the violations and the following penalties:

Nevada Fines & Penalties- Retail Licensee		
# Of Violations	Fine	
1st & 2nd within 24 months	A Warning Notice	
3rd within 24 months	\$500	
4th + within 24 months	\$1,250	
5th + within 24 months	\$2,500	

Federal Drug Administration - Compliance & Enforcement

FDA conducts inspections of tobacco product retailers to determine a retailer's compliance with federal laws and regulations, including The Federal Food, Drug, and Cosmetic Act, as amended by the Tobacco Control Act, and our rules and regulations.

During <u>Undercover Buy Operations</u>, an attempt to purchase is made by an underage customer hired by the FDA, and the retailer is unaware an inspection is taking place.

Also, FDA conducts compliance checks of retail stores for:

- Inspections for other compliance requirements.
- Inspections in response to public complaints to the FDA's request for the public to report suspected store violations.

NOTE: The FDA indicates that it will conduct follow-up compliance checks on stores found in violation.

FDA has a variety of enforcement tools to address retailers who violate Federal statutes or regulations, including civil money penalties, warning letters, seizures, injunctions, no-sale orders and/or criminal prosecution. Fines and penalties shown here are as of January 17, 2020.

FDA Fines & Penalties		
# Of Violations	Fine	
1	Warning Letter	
2 w/in 12 months	\$297	
3 w/in 24 months	\$594	
4 w/in 24 months	\$2,381	
6 w/in 48 months	\$11,904	
5 or more w/ion 36 months	NO SALE ORDER	

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Tobacco Control Program
Division of Public and Behavioral Health

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