

## 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 random, unannounced inspections 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:

<b>Nevada Fines &amp; Penalties– Retail Employee</b>	
<b># of Violations</b>	<b>Fine</b>
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:

<b>Nevada Fines &amp; Penalties– Retail Licensee</b>	
<b># Of Violations</b>	<b>Fine</b>
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 Undercover Buy Operations, 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.

<b>FDA Fines &amp; Penalties</b>	
<b># Of Violations</b>	<b>Fine</b>
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

# Nevada Responsible Tobacco Retailer



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Tobacco Control Program  
Division of Public and Behavioral Health

This publication is supported by the Nevada State Division of Public and Behavioral Health through funds allocated from Senate Bill 460, Section 9 of the 81<sup>st</sup> Session. Its contents are solely the responsibility of the authors and do not necessarily represent the official views of the Division.

