

Know the Law

It is illegal to:

- Sell a tobacco product to a minor.
- Provide a minor with a tobacco product.
- Place a vending machine in a location accessible to a minor.
- Sell cigarettes outside of a pack.
- Locate a tobacco display out of sight of a clerk.

Retailers must implement a written policy against selling tobacco to minors, which includes:

1. A requirement that an employee ask any person who appears under the age of 25 for a valid photo ID as proof of age prior to making a sale.
2. A list of all types of acceptable photo IDs.
3. A list of factors to be examined on the photo ID, including photo likeness, birth date, expiration date, the signature, and evidence the ID may be fake/falsified.
4. A requirement that if the photo ID is missing any of the listed items, it is not a valid proof of age. A second photo ID may be required to make a sale of tobacco products with questions referred to the manager.
5. A disciplinary policy that includes employee suspension for failure to require a valid photo ID and dismissal for repeated improper sales.
6. Documenting employee training in writing.
7. Posting signs that selling tobacco to minors is illegal.

If you are cited:

1. Enforcement officers will file a Private Criminal Complaint with the District Justice for your area. One complaint will be filed against the clerk, and one complaint will be filed against the store's owner or manager.
2. The District Justice will send you a hearing notice.
3. At the hearing, you may plead guilty or not guilty. If pleading guilty, penalties are at the discretion of the District Justice who may levy fines and/or court costs.

Fines: Clerks

First Offense	\$100 to \$250
Second Offense	\$250 to \$500
Third Offense	\$500 to \$1,000

Fines: Retailers

First Offense	\$100 to \$500
Second Offense	\$500 to \$1,000
Third Offense	\$1,000 to \$3,000
Fourth or Subsequent Offenses:	\$3,000 to \$5,000 and suspension of retail cigarette license for up to sixty days.



Both clerks and retailers face fines for selling tobacco products to minors.

Take Action!

It is the merchant's responsibility to ensure that all of their employees are trained in the proper procedure for the selling of tobacco products.

Train employees to:

- Ask for photo ID from anyone who appears to be under the age of 25.
- Match the photo ID with the person using it.
- Check the birth date on the photo ID.
- Watch out for fake, damaged, or invalid photo IDs.

WE DON'T SELL
Tobacco
TO MINORS

TobaccoFree
Allegheny

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TobaccoFreeAllegheny

Understanding
Pennsylvania's
Youth Access to
Tobacco Laws

Responsibilities and
Consequences for Retail
Cigarette License Holders
and their Employees