

Los Angeles County Department of Public Health
Tobacco Control and Prevention Program
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LOS ANGELES COUNTY TOBACCO RETAIL LICENSE FREQUENTLY ASKED QUESTIONS (FAQ) - AUGUST 2016

Who is required to have a Los Angeles County Tobacco Retail License?

All tobacco retailers in the unincorporated areas of Los Angeles County are required to have a License. If your business is in a specific city in the County, check to see if that city has its own tobacco retail license/permit requirements.

Am I a tobacco retailer?

A "tobacco retailer" means any person who sells, offers for sale or distribution, exchanges, or offers to exchange for any form of consideration, tobacco, tobacco products, or tobacco paraphernalia without regard to the quantity sold, distributed, exchanged, or offered for exchange.

I already have a state tobacco retailer's license issued by the California State Board of Equalization (BOE). Why do I need also need a Los Angeles County Tobacco Retail License?

The tobacco retailer's license issued by the BOE is meant to curb tobacco tax fraud and the counterfeiting of tobacco products. That license does not preempt local jurisdictions from adopting local tobacco licenses. The Los Angeles County Board of Supervisors adopted the ordinance (Los Angeles County Code Chapter 11.35, Tobacco Retailing), which went into effect on April 16, 2008, to encourage responsible tobacco retailing and to discourage violations of federal, state, and local tobacco-related laws, especially those that prohibit the sale or distribution of tobacco products to minors.

How much is the License and where can I find the application documents?

The annual fee is \$235. The first bill sent to retailers may be pro-rated, depending on when a business first opened or began selling tobacco, tobacco products, and/or tobacco paraphernalia. License documents are available at the Tobacco Control and Prevention Program office, by mail, fax, or online.

What if I have multiple tobacco retailing locations in the unincorporated areas of the County?

Each location that sells tobacco, tobacco products, and/or tobacco paraphernalia must have its own License. Each location will be charged the annual licensing fee of \$235.

Where do I submit the required License application documents?

The required documents can be submitted in person, mailed, emailed, or faxed to the Tobacco Control and Prevention Program office.

When should I pay for the License?

Do not pay for the License until after you receive a billing statement. Payments can be made by mail, online, or in person at Department of Public Health Environmental Health offices. Environmental Health oversees the billing and issues all Public Health permits and licenses. You will not receive a License by mail until after payment is made in full.

Do I need to re-apply for the License every year?

No, if you have not changed retailing locations, you do not have to re-apply for the License. As long as you have an active License, the Department of Public Health will automatically send you an annual billing statement, which is typically mailed out in July of each year. If you have made changes to your business, e.g. moved its location, have a different name, become incorporated, etc., you may have to re-apply for a new License.

What forms of payment are accepted and how long is the License effective?

Acceptable forms of payment include Cash, Check, Cashier's Check, Money Order, Credit/Debit Card, and Electronic Check. The License is effective for one year, from July 1 to June 30, and must be renewed annually.

What happens if I sell my business?

If you sell your business, contact the Tobacco Control and Prevention Program to close your account.

What if I want to stop selling tobacco but still remain in business selling only non-tobacco merchandise?

Contact the Tobacco Control and Prevention Program to close your License account, and complete a *Declaration of Non-Tobacco Retailing* form.

Can I sell tobacco from a mobile location such as a truck or car?

No License may be issued to authorize tobacco retailing at other than a fixed location. Itinerant tobacco retailing is prohibited.

Will there be inspections?

Yes, the Department of Public Health conducts inspections of retailers for compliance of federal, state, and local tobacco laws, and the Los Angeles County Sheriff's Department engages in youth decoy tobacco stings. The State of California also employs its own compliance inspections and youth decoy tobacco stings of retailers.

What happens if I violate tobacco laws?

Violators are subject to criminal prosecution, fines up to \$1,000, and other penalties such as forfeiting your right to sell and display tobacco, tobacco products, and tobacco paraphernalia, and having a lien assessed on your business. A License may be suspended for up to 30 days on a first violation within any five-year period, up to 90 days for a second violation within any five-year period, and up to 120 days for a third violation within any five-year period. The License shall be revoked for a fourth violation within a five-year period. If a revocation occurs, no new License may be issued for five years afterwards. All tobacco retailers can avoid violations by following all tobacco laws at all times.

What are some of the tobacco laws I need to follow?

- The minimum sales age for tobacco is 21 (the age is 18 for active duty U.S. military personnel only).
 - Age of sale warning signs must be posted by each point of purchase.
 - The Los Angeles County Tobacco Retail License and state tobacco retailer's license must be prominently displayed in a publicly visible location at your business.
 - Sales of single cigarettes are prohibited.
 - Self-service displays are prohibited, including tobacco, tobacco products, tobacco paraphernalia, and electronic smoking devices, e-liquids, components, parts or accessories. A 'tobacco store' may only have self-service displays of cigars in packages of 6 or more in the original wrapping.
- (NOTE: This is only a summary of some of the many tobacco laws that retailers must follow.)

ADDITIONAL INFORMATION

To download Los Angeles County Tobacco Retail License application documents and materials:
www.publichealth.lacounty.gov/tob

For more information on payment locations and options:
<http://publichealth.lacounty.gov/eh/Permit%20and%20License%20Billing/makepayment.htm>

For further information on tobacco laws:
<http://www.cdph.ca.gov/programs/tobacco/Pages/Tobacco21.aspx>