



The Tobacco Control Act

What Retailers Want to Know

The purpose of *The Tobacco Control Act* is to control the sale and use of tobacco and tobacco-related products in an effort to reduce tobacco use, especially among Saskatchewan young people, and to protect young people from exposure to second-hand smoke.

This is the fifth in a series of bulletins that will provide tobacco retailers with information about Saskatchewan's *Tobacco Control Act*.

In this bulletin we will provide information about ID requirements under the Act, how to look for false ID, and suggestions on how to refuse a sale. We will also provide an update on the retailer support materials that we are working on and answer some frequently asked questions.

The purpose of this bulletin is to help retailers understand the requirements of the Act. It is intended as a general guide and should not be used as a substitute for the legislation. The Act and Regulations should be consulted for all purposes of interpretation and application of the requirements of the law.

Tobacco Retailer Training

Saskatchewan Health has established an Editorial Advisory Committee, which will assist in the development of a Saskatchewan-based training package for tobacco retailers. The purpose of the training package is to provide retail owners, managers and staff with hands-on information about *The Tobacco Control Act* and how it affects the way they do business. The training package will complement and provide linkages to Health Canada's Retailer Toolkit for tobacco sales. It is expected that this material will be ready for distribution to Saskatchewan's tobacco retailers in 2003.

Members of the Committee include tobacco retailers, a representative from the Saskatchewan Coalition for Responsible Tobacco Retailing, Health Canada and Saskatchewan Health.

Great job by tobacco retailers!

Tobacco Enforcement Officers with Health Canada are involved in ongoing inspections of tobacco retail establishments. Over the summer months, they visited many retail establishments doing routine inspections.

The Tobacco Enforcement Officers report that the majority of retailers are complying with the display provisions of *The Tobacco Control Act*. They found that retailers have used a variety of options for covering up tobacco products. Some have used inexpensive options such as venetian blinds and curtains, while other retailers have chosen more expensive solutions and installed drawers and cabinets. In anticipation of *The Tobacco Control Act* being proclaimed, some retailers made these changes before the Act came into force.

Previous "*The Tobacco Control Act: What Retailers Need to Know*" Bulletins

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| Bulletin #1 | Tobacco Sales provisions of <i>The Tobacco Control Act</i> – fines and penalties under the Act. |
| Bulletin #2 | Displaying Tobacco Products and Tobacco Retailer Signage |
| Bulletin #3 | Due Diligence – What Retailers Need to Know – Tobacco Retailer Signage |
| Bulletin #4 | Ticketing procedures for offences under <i>The Tobacco Control Act</i> – fines for ticketed offences – smoke-free public place provisions of the Act. |

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PHOTO ID

The Legislation

The *Tobacco Control Act* requires that no person shall furnish tobacco or a tobacco-related product to a person under the age of 18 unless that person can provide identification that proves he or she is 18 years or older.

If in doubt about a person's age you must ask for one of the following forms of photo ID:

- Photo identification card that forms part of a Saskatchewan driver's licence;
- Canadian passport;
- Certificate of Canadian citizenship that contains the person's photograph;
- Canadian Forces identification card; or
- Any other form of identification that is issued by the federal government, a province or territory or the government of a foreign country or state, providing the ID includes the person's photograph, date of birth and signature.

Note: A student ID is not acceptable.

What to look for when checking ID

- Make sure it is one of the acceptable forms of ID listed in the legislation. If in doubt, check with the store manager or *The Tobacco Control Act*.
- Look at the person, and then look at the picture on the ID. If you are not satisfied that the person on the ID is the person trying to purchase tobacco products then do not sell that person tobacco products.
- Look at the date of birth on the ID and determine if the person appears to be the age of the person on the ID. If unsure about the validity of the ID, ask a store manager for assistance. If a store manager is not available, then refuse the sale.

Never reach for the tobacco product until all of these steps have been followed.

What to look for if you think the ID has been tampered with

- If the ID is laminated, make sure that the seal hasn't been broken.
- Watch for double lamination (the information on the ID will not line up or there will be air bubbles).
- If the ID has a magnetic strip, it should not be laminated.

If the ID looks like it has been altered in any way then do not sell that person tobacco products.

Saying "No" to a Sale

You have the right to say no to a sale if you think the person is under the age of 18. Say "no" firmly and without hesitation. Your voice and expression will make it clear that the matter is closed.

- Use confident body language;
- Look at the person when you are speaking and make eye contact;
- Keep your head up;
- Speak with confidence and a calm tone of voice; and
- If necessary, repeat what you have said so that the person knows you are serious.

Tell the person that he or she is asking you to break the law, and that you and/or your boss could be fined and that the store could lose its right to sell tobacco products.

Practice makes it easier. Many retailers require employees to practice with other employees to help them prepare for an actual situation.

References:

A Tool Kit for Retailers Who Sell Tobacco in B.C., British Columbia Ministry of Health
A Retailer Toolkit for Tobacco Sales, Health Canada, Manitoba and Saskatchewan Region
Protect yourself. Protect our kids. Know the Law, Not To Kids Coalition, Ontario.

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ACCEPTABLE ID

The Tobacco Control Act lists the forms of ID that are acceptable as proof of age. These are samples of acceptable IDs. In addition to the forms of IDs specifically listed in the Act, the Act allows any form of ID that is issued by a government that includes the person's picture, signature and date of birth. SGI's Non Driver Photo Identification and a Treaty Card would be examples of an acceptable form of ID that is not specifically listed in the Act.

Photo Driver's Licence



Non Driver Photo Identification



All Saskatchewan drivers are required to have the new Saskatchewan Photo Driver's Licence by June 1, 2003. For individuals under the age of 19 there is a red box that indicates the person is "19 on". Beside the box, in red print, the date and the year the person turns 19 are provided. This feature was added to assist liquor outlets in determining the age to purchase alcohol and should make it easier to calculate for the age of 18. The Non Driver Photo Identification is available through SGI at a cost of \$10.00.

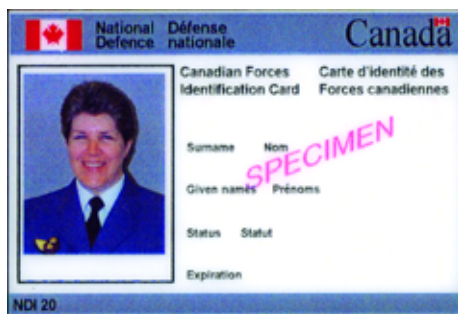
Canadian Passport



Canadian Citizenship Card



Canadian Armed Forces ID Card



Treaty Card - front and back



FREQUENTLY ASKED QUESTIONS

Frequently Asked Questions has been added as a regular feature of the tobacco retailer bulletins in response to the feedback from the Reader Comment Cards. We hope that retailers will find this new section helpful and will forward any question they have related to *The Tobacco Control Act* to:

The Health Promotion Unit
Population Health Branch
Saskatchewan Health
3475 Albert Street
Regina, SK S4S 6X6

Fax: (306) 787-3823

Where should the retail sale signage be placed?

The 8½" x 11" (21.6 x 28 centimetres) signs should be placed at all customer entrances. The smaller 5" x 3" (12.5 x 7.6 centimetres) signs should be placed on all tills where tobacco products are sold as a reminder to clerks not to sell tobacco products to young people under the age of 18.

Where should the "No Smoking" signs be placed?

The 5" x 5" (12.5 centimetres) "No Smoking" signs should be placed at all customer entrances, in public washrooms and in seating and waiting areas.

Where can I get more signs?

The tobacco retail signs and the "No Smoking" signs are both available through the Saskatchewan Property Management Corporation, Distribution Centre. Order additional copies at no cost by calling (306) 787-2056 or faxing your request to (306) 787-0194.

Can retailers purchase their own "No Smoking" signs?

Yes, retailers can purchase their own "No Smoking" signs, providing the signs are at least 5" x 5" (12.5 centimetres) and contain the international "No Smoking" symbol in a form that is at least 3" (9 centimetres) diameter.

Where can I smoke in my store?

The Tobacco Control Act prohibits smoking in any area of the retail outlet where the public is permitted access (Section 11(2)(l)). Smoking would be allowed, at the discretion of the owner, in areas such as a staff room or an office if the public does not have access.

Reader Comment Cards

We would like to thank those retailers who provided suggestions on the retailer bulletins by sending in the Reader Comment Cards that were included with Retailer Bulletin #4. Retailers who haven't sent in the card can still return them to Saskatchewan Health. We welcome your comments.

For more information, call Saskatchewan Health at (306) 787-3084. A copy of *The Tobacco Control Act* and The Tobacco Control Regulations can be accessed from the Saskatchewan Government, Queen's Printers Web Site at www.qp.gov.sk.ca.