

Tobacco Retail License Bulletin



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Did you know that the legal age to purchase tobacco is 21?

In 2018, the Tobacco 21 (T21) law took effect in Oregon, followed by a national increase to the minimum age for tobacco sales in 2019. The T21 law increased the minimum age to purchase tobacco from 18 to 21. Oregon tobacco retailers have a role to play in decreasing youth access to tobacco by not selling to anyone under the age of 21.

Tips for checking to see if someone is under the age of 21.

- Ask to check the ID of any customer who looks younger than 30 years old—if you are unsure, ask for their ID every time.
- In all 50 U.S. states and the District of Columbia, driver's licenses and IDs issued to individuals under the age of 21 are vertically oriented. Look for the red box on the right side of Oregon's ID that shows when the person will be 21.
- Consider using an age verification system and have staff check every ID, regardless of how old the customer appears.
- Visit FDA's [This is Our Watch](#) for free age calculators and other resources.

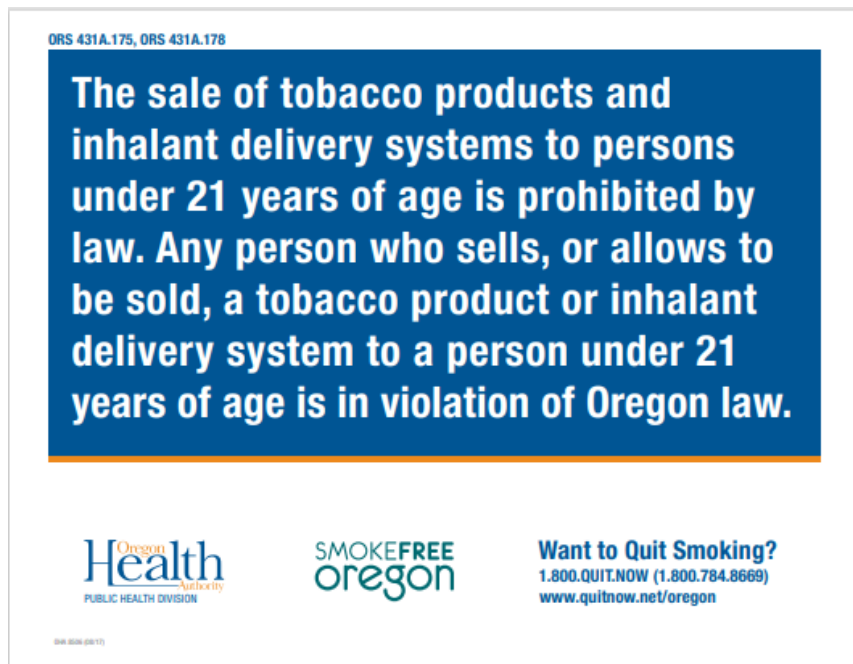
What are the top three compliance inspection violations?

The Tobacco Retail License (TRL) Program inspects every retailer in Oregon at least once per year. Inspections include making sure retailers are not selling to people

under 21, while additional inspections check for compliance with all tobacco retail sales laws. These are the top three compliance violations that the TRL program sees and tips for preparing your retail store before your inspection.

#1 Violation: Properly displaying required state signage

- Retailers are required to display the Tobacco 21 Oregon State Notice posting (ORS 431A.175, ORS 431A.178). Failure to post the state sign (or a notice that is substantially similar) in a location clearly visible to the seller and purchaser may result in a violation.
- Below is the Tobacco 21 Oregon State Notice sign that must be posted in every retailer that sells tobacco and inhalant delivery systems (IDS).



The Tobacco 21 State Notice sign

- Download the [sign](#) from the [Tobacco Retail License website](#) in multiple languages.
- View [this handout](#) for more information on how to post this sign.

#2 Violation: Inhalant Delivery System (IDS) child-resistant packaging requirements

- It is federal and Oregon law that IDS, also known as e-cigarettes, must be sold in child-resistant packaging.

- Retailers who sell e-cigarettes, liquid nicotine containers, non-nicotine liquid containers, and fillable inhalant delivery system(s) that are packaged with liquid nicotine container(s), the product must be in child-resistant packaging from the manufacturer.
- The distributor or manufacturer should provide testing documentation, called, a “certificate of conformity” verifying that the packaging is child-resistant by the standards in the Code of Federal Regulations (16 CFR 1700.20).
- If you are not able to show this documentation to an OHA inspector during your annual routine inspection, it may result in a violation and civil penalty.
- Here are some tips to help prepare for your next inspections:
 - Keep all certificates of conformity in a place where all staff and managers on duty know where to find them.
 - Check to see that you have certificates of conformity for each product each time you get a new shipment.
 - Review certificates often to ensure you have one for each product in your store.
 - Visit these OHA resources:
 - [How to comply with IDS child-resistant packaging requirements](#)
 - [FAQ: How to comply with IDS child-resistant packaging requirements](#)
 - [Sample Certificate of Conformity](#)

#3 Violation: Self-service tobacco products

- Law requires that all tobacco products must be kept behind the counter in an area only employees can get to OR in a locked case.
- Tobacco and IDS products that customers can get without the help of a store clerk may result in a violation. An exception to this is if the business prohibits customers younger than 21.
- Check out [this OHA guidance](#) for more information on how to follow this law.

House Bill 3940 passes in Oregon State Legislature

The Oregon Legislature recently passed House Bill 3940, which creates a new tax on the distribution of oral nicotine products in the state. The tax is effective beginning January 1, 2026, and licensed distributors will begin reporting the tax on their first 2026 quarter returns. Oral nicotine products in packages of 20 or fewer units will be taxed at \$0.65 per package. For packages containing more than 20 units, the tax will be calculated at \$0.0325 per unit. These taxes will help fund wildfire relief efforts in Oregon. The Department of Revenue will be publishing further guidance in the coming months on their website,

<https://www.oregon.gov/dor/programs/businesses/pages/tobacco-overview.aspx>.

The TRL Newsletter has changed

You may notice that the Quarterly Tobacco Retail License Bulletin looks a little different. We have switched from using Mail Chimp to Gov Delivery. You can still count on timely program updates and information. To look at archived newsletters, follow this [link](#).

Resources for retailers:

- [Best Practices Guide for Retailers](#) (available in [Spanish](#), [Korean](#), [Russian](#), [Chinese](#), [Arabic](#), [Vietnamese](#), [Hindi](#), and [Punjabi](#))
- [Tobacco Retail Licensing training manual for retailers](#)
- [Required tobacco sales signage](#) (available in [Spanish](#), [Korean](#), [Russian](#), [Chinese](#), [Arabic](#), and [Vietnamese](#))
- Instructions for reading Oregon IDs (available in [Spanish](#), [Korean](#), [Russian](#), [Chinese](#), [Arabic](#), [Vietnamese](#), [Hindi](#), and [Punjabi](#))
- [Recorded webinar training](#) on Tobacco Retail Licensing
- Child-resistant packaging requirements (available in [Spanish](#), [Korean](#), [Russian](#), [Chinese](#), [Arabic](#), [Vietnamese](#), [Hindi](#), and [Punjabi](#))

You can get this document in other languages, large print, braille or a format you prefer free of charge. Contact the Tobacco Retail License Program at Tobacco.Inspections@odhsoha.oregon.gov or 971-673-2283. We accept all relay calls.

Public Health Division
Tobacco Retail License Program
800 NE Oregon St. Ste. 850
Portland, OR. 97232-2162
971-673-2283
Tobacco.Inspections@odhsoha.oregon.gov
www.healthoregon.org/tobaccoretailsales

