

How to comply with Oregon tobacco laws

Oregon's tobacco retail license program is a collaboration between Oregon Health Authority (OHA) and the Oregon Department of Revenue (DOR). OHA conducts retailer education and outreach, as well as inspections and enforcement to prevent sales to people under the age of 21 and ensure compliance with tobacco sales laws. DOR issues licenses to retailers, annually renews licenses, collects fees associated with licenses, and issues penalties to retailers selling tobacco without a license.

To ensure you stay in compliance, here is a list of state and federal tobacco sales laws that OHA and DOR will inspect for:

- ❑ **Securing a tobacco retail license:** An Oregon state tobacco retail license is required to sell tobacco products or inhalant delivery systems (IDS) – also known as “e-cigarettes.”
- ❑ **Properly displaying retail license:** It is required that the tobacco retail license is displayed in a place visible to customers and employees.
- ❑ **Displaying state sign:** It is required to post the [State Notice](#) that states it is unlawful to sell tobacco products or IDS to customers under 21.
- ❑ **Not selling to people under 21:** It is prohibited to sell tobacco products or IDS to people under the age of 21.
- ❑ **Vendor assisted sales:** Locating tobacco products or IDS in a location where they are accessible by the customer is only permitted in places where customers under 21 are prohibited from entry. Self-service vending machines – whether or not they are only accessible to individuals over the age of 21 – do not satisfy this requirement.
- ❑ **Tobacco vending machines prohibited for specific sales:** Sales of cigarettes, smokeless tobacco or IDS from self-service vending machines are prohibited under ORS 180.441.
- ❑ **Pack size of 20:** Cigarettes must be sold in packages of 20.

- ❑ **No smokeless tobacco singles:** No single smokeless tobacco pouches can be sold.
- ❑ **No flavored cigarettes:** It is prohibited to sell any flavored cigarettes except menthol. There are some restrictions on flavored IDS products.
- ❑ **No gifts:** No gifts or other items may be offered as part of a tobacco product sale.
- ❑ **Correct IDS packaging:** IDS must be packaged according to the rules, specifically that they are child resistant.
- ❑ **Correct IDS labeling:** IDS must be labeled according to the rules.
- ❑ **Correct branding and approved tobacco products and IDS sold:** It is prohibited to sell misbranded or adulterated tobacco products or IDS.
- ❑ **Access permitted for inspections and investigations:** Tobacco retailers must allow access for inspection or investigation.
- ❑ **No light, low or mild products sold:** It is prohibited to sell cigarettes labeled “light,” “low,” or “mild”.
- ❑ **No free samples:** No distributing free samples of tobacco products in an area accessible to persons under 21 years of age.

The first time a retailer does not pass a routine inspection, they will receive a follow-up inspection no sooner than 15 days after the first inspection.

OHA may conduct additional inspections in response to complaints received against tobacco retailers, to make sure there are no violations of tobacco sales laws.

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 971-673-2283 or email Tobacco.inspections@odhsoha.oregon.gov. We accept all relay calls.

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