



Oregon's Tobacco Retail Inspections

	State-level Inspections		Local-level Inspections	National-level Inspections
	Tobacco Retail License (TRL) Enforcement Inspections	Synar	TRL Enforcement Inspections	Enforcement Inspections
Why	<p>Required by state law (ORS 431A.190-431A.220).</p> <p>Required as a part of the Synar Amendment, but not funded with federal Substance Abuse Prevention and Treatment dollars.</p>	Federally mandated under the Synar Amendment, which requires enforcement of laws that ban the sale of tobacco to underage persons.	<p>A city or Local Public Health Authority that, on or before January 1, 2021, adopted a TRL may continue to enforce the standards and require the license.</p> <p>A city or county may opt in to locally conducting state-level TRL Enforcement Inspections, on agreement with OHA.</p> <p>Ensure compliance with local ordinances related to the retail sale of tobacco.</p>	Required under the Family Smoking Prevention and Tobacco Control Act (TCA). Inspections to ensure compliance with federal tobacco laws and regulations.
Who	Managed by Public Health Division (PHD). Inspections conducted by PHD Compliance Specialists.	Managed by Public Health Division (PHD). Survey conducted by PHD Compliance Specialists.	Managed by local governments. Inspections conducted as identified by local ordinance or state law.	Inspections conducted by Food and Drug Administration (FDA) commissioned inspectors.
What	Unannounced underage person decoy and compliance inspections of all tobacco and inhalant delivery system (IDS) retailers statewide.	A random sample of TRL unannounced underage person decoy inspections of tobacco and IDS retailers statewide.	Inspections of tobacco and IDS retailers in the jurisdiction where the ordinance or law applies.	Underage person decoy and advertising and labeling inspections of a sample of tobacco and IDS retailers, statewide.
How Many	Each retailer will be inspected a minimum of two times per year (one underage person decoy inspection and one compliance inspection). A follow-up inspection will occur if a violation is found during a compliance inspection. Additional inspections may occur if public complaints are received.	Number of surveys conducted based on prior year's Synar Survey violation rate of underage person decoy inspections. Approximately 300-600 inspections conducted annually.	Each retailer will be inspected a minimum of two times per year (one underage person decoy inspection and one compliance inspection). A follow-up inspection will occur if a violation is found during a compliance inspection. Additional inspections may occur if public complaints are received.	Federal law requires that at least 25% of all known retailers are inspected annually. Approximately 1,000 inspections are conducted annually in Oregon.
Inspection Types	Underage person decoy inspections with adult inspectors and 18-19 year old decoys. Tobacco sales laws compliance inspections completed by adult inspectors.	Same as TRL Enforcement Inspections of sales to underage persons. Inspections are not conducted separately from TRL Enforcement Inspections.	Underage person decoy inspections with adult inspectors and 18-19 year old decoys. Tobacco sales laws compliance inspections completed by adult inspectors.	Underage person decoy inspections using adult inspectors and 18-19 year olds. Advertising and labeling inspections completed by adult inspectors.
Penalties	Graduated penalties issued to the retailer, escalating from \$1,000 to \$5,000. License suspension or revocation for three or more violations in a 60-month period.	No penalties are issued to retailers. States where more than 20% of retailers fail inspections may see reductions in federal substance abuse block grant funding.	Determined by local ordinance/law or by using state statute. State or federal violations may affect local tobacco retail license.	Graduated penalties issued to the retailer, beginning with a warning letter, to civil penalties of up to \$11,000 for repeat violations.
Use	Primary source of data for tobacco retailer violation rate when selling to an underage person and other state tobacco sales laws.	Results from surveys are used to meet the Federal Synar Admendment requirements.	<p>Ensure compliance with local ordinance/law.</p> <p>When opting in, acting as an agent of the state.</p>	Supplemental source of data for tobacco retailer violation rates when selling to an underage person.