

Tobacco Retail Licensing Public Comment Summary

Public Commenting Period: May 9, 2016 - May 23, 2016

Thank you for taking the time to send in your thoughtful comments. We carefully read over all responses and compiled a summary of frequently sent comments and questions as well as our responses to those comments and questions.

- *85% of commenters responded that these rules are likely to reduce youth access to tobacco and nicotine products.*
- *77% of commenters responded that these rules are fair to all tobacco and nicotine retailers.*

Below are frequent questions and comments brought up in the public comment period along with responses from Multnomah County.

Penalties should be clear in order to reduce burden for retail owners.

- The proposed penalty structure follows evidence-based practices shown to reduce youth access to tobacco and nicotine products.
- The proposed penalty structure contains a tiered schedule of penalties and requirements per violation cited.
- It is a condition of the license that retail owners are informed of the relevant tobacco retail laws and have trained all staff who sell tobacco and nicotine products to comply with these laws. Additionally, there are opportunities for retailers to come into compliance before a penalty will be levied.

Who has authority to monitor compliance of tobacco retail laws?

- The goal of the Health Department is to focus on education and outreach to ensure retailers comply with tobacco retail laws.
- Health Department staff will be the primary inspectors enforcing this ordinance.
- The rules state, "The Department may designate any number of additional Persons to monitor compliance with these Rules." This rule is put in place in order to ensure adequate staff coverage for education, outreach, and enforcement activities. There may be times (such as vacation coverage, family leave, etc.) that the primary tobacco retail license program staff will need additional county staff support to administer the program.

- Although Peace Officers have the legal authority to enforce tobacco retail laws, similar to Oregon Liquor Control Commission laws, they infrequently use their scarce resources to do so.

Who is accountable for training and education?

- The Health Department will offer culturally responsive materials, training, and outreach in multiple languages.
- The Health Department will develop applications and notices in seven languages.
- The Health Department will ensure that translation services are available to retail owners when interacting with Tobacco Retail License program staff.
- Retail owners can indicate a preferred language on their application so future Tobacco Retail License communications take place in their preferred language.
- It is a condition of the license that retail owners are informed of the relevant tobacco retail laws and have trained all staff who sell tobacco products to comply with these laws.

Invest in education for youth and other impacted by groups about the potential harms of tobacco and nicotine products.

- The Tobacco Retail License program is funded by license fees. This means any fees collected can only be used for the operation of the program itself.
- Multnomah County currently invests in youth tobacco prevention efforts through multiple avenues. These programs may not be funded by tobacco retail license fees.