

Tobacco 21 Education and Implementation Document

Raising the minimum legal sale age for tobacco from age 18 to 21 will have a substantial positive impact on public health and will save lives. To be effective, education, implementation and enforcement will be critical elements in the City of San Antonio's proposed Tobacco 21 (T21) initiative and ordinance. If approved, the ordinance will take effect six months after passage, during which time, T21 education and implementation information will be disseminated to tobacco retailers and the San Antonio community.

T21 Education

The San Antonio Metropolitan Health District will collaborate with the San Antonio Tobacco 21 Coalition, the San Antonio Council on Alcohol and Drug Abuse (SACADA) and others such as the Region 20 Education Service Center, local school districts, charter & private schools, and other City of San Antonio departments, including Development Services, Municipal Courts, Parks and Recreation, Human Services, Library, the Fire Department, and the Office of Equity, to provide T21 education in the San Antonio community.

Tobacco Retailer Education:

- In the first six months of passage of a T21 ordinance, tobacco retailers will receive education and resources to comply with T21.
- Retailers will be able to participate in an educational session on T21 and the local ordinance.
- Retailers will receive signage to comply with the T21 ordinance to display in their establishments.
- Retailers will receive T21 information to train their employees on the new minimum sale age, types of tobacco products listed in the ordinance, fines, and a listing of local tobacco cessation programs.
- Those selling tobacco products will be required to maintain the current standard of verifying the age of people wanting to purchase tobacco products who appear to be under the age of 30.
- Retailers will also be able to download T21 information from the City of San Antonio's website.

Youth & Families:

- City of San Antonio departments who work with youth and families will provide them with bilingual information on T21.
- San Antonio youth focused institutions and organizations will receive bilingual T21 educational information to share with the youth and families they serve.
- Organizations will be encouraged to include T21 information in their tobacco prevention curricula and prevention programs.
- Youth focused institutions, organizations, parents and youth will be able to download T21 information from the City of San Antonio's website.
- T21 information will also be disseminated via Social Media.

T21 Implementation Philosophy

The overarching philosophy for implementation of this ordinance is education and partnership with retailers to achieve compliance with the new sale age. As well, the implementation philosophy emphasizes educating youth about the dangers of tobacco addiction and access to tobacco cessation services. Retailers and youth will be educated about the new law and every effort will be made to achieve voluntary compliance. However, for those who fail to comply with the ordinance, the following processes will apply as outlined below (please also see Chart 1 on page 3 for a flow chart of the retailer implementation and enforcement processes). Currently less than 10% of retailers sell to underage individuals, but non-compliance is unacceptable given the addictiveness of tobacco and the health consequences to youth.

Enforcement Authority

The authority to enforce the proposed T21 ordinance shall be held by the City of San Antonio T21 Enforcement Team which will be led by the San Antonio Metropolitan Health District, with occasional support from the Development Services Department and the San Antonio Fire Department. In addition, any person may register a complaint with the City of San Antonio by calling 311 to report violations of this ordinance. If fines generate additional revenue, it will be collected by the General Fund.

Retailers:

Signage and Training Compliance

- If a violation is identified during an education visit after the six month education period, the tobacco retailer will be asked to immediately rectify the violation (i.e., post appropriate signage) and information will be forwarded to the Metro Health T21 Enforcement Team.
- The Metro Health T21 Enforcement Team will subsequently conduct an unannounced compliance visit within 30 days of the violation to verify that signage and/or training violations have been corrected.
- Continued violations will result in a citation.

Tobacco Sales to Under 21 Compliance

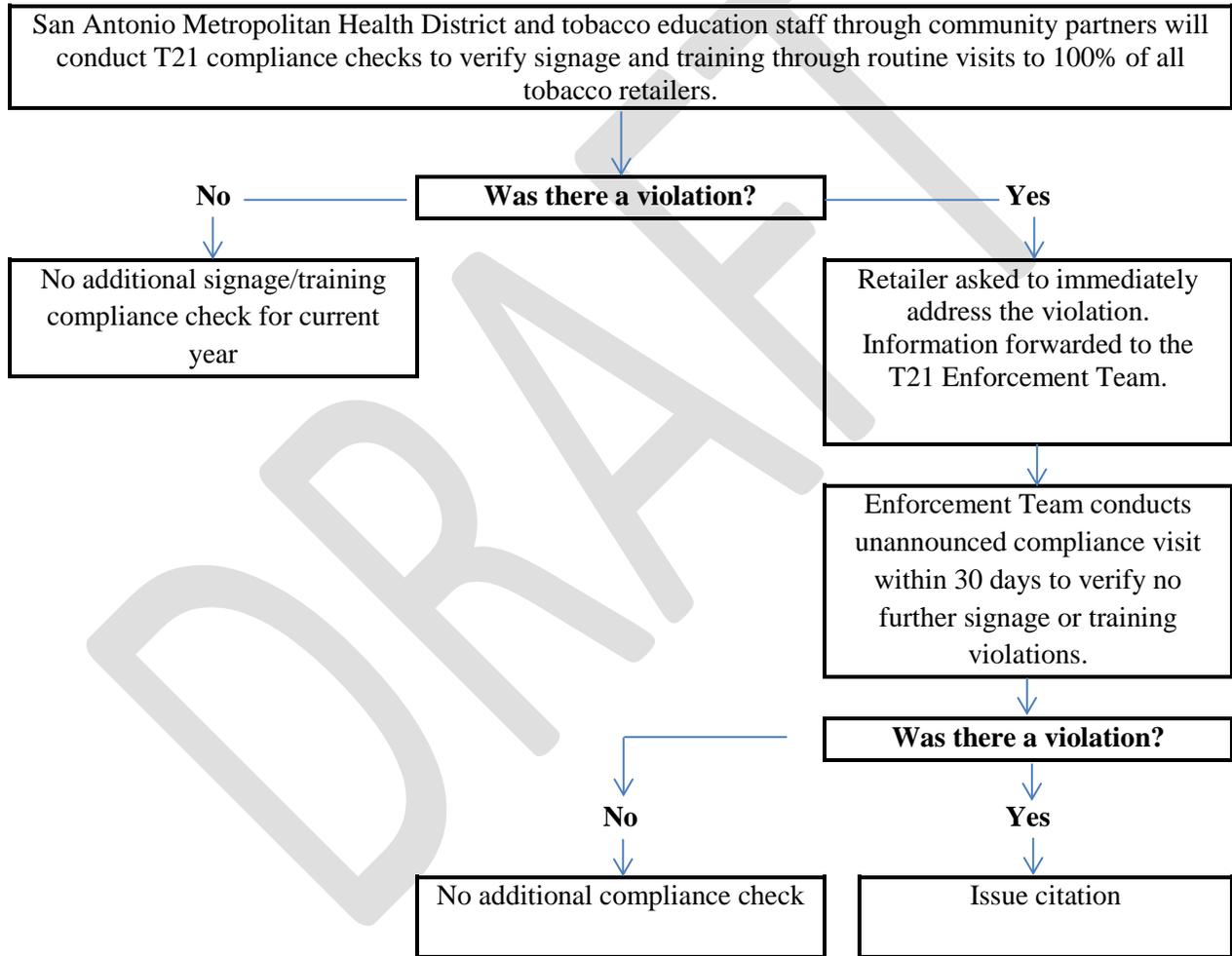
- If the retailer is suspected of selling tobacco products to minors (either due to 311 complaints or signage and/or training violations), Metro Health may check compliance by sending in a person under 21 to see if the retailer will sell to them.
- At least once per year, Metro Health will coordinate sales compliance checks in retail establishments using analytic predictive modeling.
- If a tobacco retailer violates the T21 ordinance by selling to a person under the age of 21, the Metro Health T21 Enforcement Team will issue a citation.
- The penalty for the sale of tobacco products to someone under 21 years of age is \$500.

Youth:

As stated above, the implementation and enforcement philosophy of this ordinance is on education about the dangers of tobacco and access to smoking cessation services. Individuals under the age of 21 who purchase, use or possess tobacco products may be subject to court approved tobacco education/cessation classes. Failure to complete the mandatory course may result in a fine up to \$250.00.

T21 Implementation and Enforcement Processes

Signage and Training Compliance

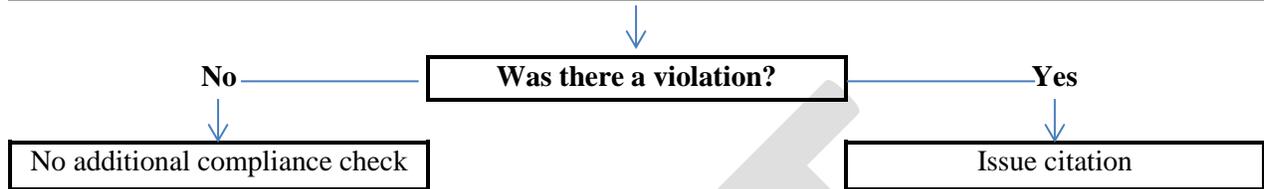


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Tobacco Sales to Under 21 Compliance

Sales compliance checks are done by the San Antonio Metropolitan Health District Enforcement Team which monitors the sale of tobacco to a person known to be under the age of 21. Retailers are selected for Tobacco Sales enforcement through:

- 311 complaint process
- Signage and training violations
- Analytic predictive modeling will be used for compliance checks in retailers



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