



County of Los Angeles
Department of Public Health
Tobacco Control and Prevention Program



REFERENCE GUIDE FOR THE TOBACCO RETAIL OFFICIAL INSPECTION REPORT

3530 WILSHIRE BLVD, SUITE 800
LOS ANGELES, CA 90010
PHONE: (213) 351-7890 / FAX: (213) 351-2710 / EMAIL: tobacco1@ph.lacounty.gov
<http://www.publichealth.lacounty.gov/tob>

January 2022

INTRODUCTION

The Tobacco Retail Official Inspection Report (TOIR) Reference Guide was developed to assist tobacco retailers in the unincorporated areas of Los Angeles County in understanding the inspection report and violations marked on the report. This publication is a reference guide for the TOIR and is not intended to address all circumstances that may be found in a tobacco retail facility.

All tobacco retail facilities in the unincorporated areas of Los Angeles County must have a valid Los Angeles County Tobacco Retail License (TRL). All tobacco retail facilities in the unincorporated areas of the County that are Tobacco Shops, including Smokers' Lounges, are also required to have a valid Los Angeles County Tobacco Shop business license, issued by the Los Angeles County Treasurer and Tax Collector (TTC). Additionally, all tobacco retail facilities in California must have a valid State tobacco retailer's license, issued by the California Department of Tax and Fee Administration (CDTFA).

The sale and display of tobacco, tobacco products, and tobacco paraphernalia is not permitted without the required State and County tobacco licenses. The TRL, Tobacco Shop business license, and State tobacco retailer's license must be conspicuously/prominently displayed in a publicly visible location in the tobacco retail facility. Each tobacco retailer/licensee and its agent(s) or employee(s) must be over the age of 21 in order to sell tobacco.

Tobacco retailers are required to follow all applicable federal, State, and local laws. All tobacco retail facilities in the unincorporated areas of Los Angeles County are subject to compliance checks by the Los Angeles County Department of Public Health and Los Angeles County Sheriff's Department, including but not limited to routine inspections and youth decoy operations. Violators of the law are subject to penalties which include administrative citations consisting of fines between a minimum of \$250 and a maximum of \$1000, and/or license suspensions at a minimum of 7-days and a maximum of 120-days. In the event of repeat offenses, license revocation is possible. Please note, the sale of flavored tobacco products will result in a license suspension.

In order to maintain and operate a tobacco retail facility in compliance with the law and to prepare for the inspection process, a Self-Inspection Checklist for the TOIR is provided on page 25. The Self-Inspection Checklist allows a tobacco retail facility to complete an inspection using the same format used by the Los Angeles County Department of Public Health, Environmental Health Program, and the Tobacco Control and Prevention Program (TCPP).

The TOIR Reference Guide is subject to change. As such, TCPP will make every effort to inform tobacco retail facilities of significant changes in a timely manner. If you have questions regarding an inspection report or actions taken by an inspector, you may contact TCPP (see front page for contact information).

REFERENCE GUIDE FOR THE TOBACCO RETAIL OFFICIAL INSPECTION REPORT

THE TOIR INCLUDES TWO SECTIONS:

1. All Tobacco Retail Inspections: Tobacco retailers must comply with #s 1-12 on the TOIR
2. Tobacco Shop Inspections: Tobacco shops must comply with #s 1-25 on the TOIR

DEFINITIONS

- IN** This item is marked to indicate the facility is in compliance with this category.
- OUT** This item is marked to indicate the facility is not in compliance with this category.
- COS** This item is marked to indicate the violation has been corrected and verified prior to the completion of the inspection. The actual corrective action(s) taken for each violation will be documented in the inspection report. Re-inspections may be conducted to confirm continued compliance.
- NA** This item is marked to indicate the category is not applicable to the facility.



TOBACCO RETAIL OFFICIAL INSPECTION REPORT

TOBACCO CONTROL & PREVENTION PROGRAM

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WWW.PUBLICHEALTH.LACOUNTY.GOV/TOB



Facility Name / DBA:			Inspection Date:		
Owner/Permittee:			Re-inspection Date:		
Facility Address:		City/Zip:	Phone #:		
Email Address:			EHT:		
Mailing Address:			Time In:	Time Out:	
CDTFA #:	Tobacco Shop Business License:		Program Identifier:		
FA:	PR / TRL:	SR:	PE:	Service:	
CODE / LAW VIOLATIONS OBSERVED AT THE TIME OF INSPECTION				Result:	
				Action:	

During an inspection of the facility at the above address, the following statuses were noted which may require immediate action.
IN = In Compliance **NA** = Not Applicable **COS** = Corrected On Site **OUT** = Out of Compliance

Tobacco Retail Licensees must comply with #s 1 - 12. Tobacco Shops must comply with #s 1 - 25

All Tobacco Retailer Inspections	STATUS	Tobacco Shop Inspections	STATUS
1. Valid LA County TRL is displayed		13. Valid LA County Tobacco Shop Business License is displayed	
2. Valid CDTFA License is displayed		14. Recognizable and readable sign identifying the Tobacco Shop is posted at the building entrance	
3. STAKE Act age-of-sale warning sign is displayed at the point of purchase		15. Exterior facing tobacco product ads do not occupy an area larger than 14 square feet	
4. There is no sale/possession with the intent to sell-offer for sale of flavored tobacco products		16. There is sufficient exterior lighting at all exterior ground areas, including the parking lot	
5. Cigarettes are sold in sealed packs with no less than 20 units		17. There is no loitering in or around the Tobacco Shop	
6. Little cigars are not sold individually or in packages of less than 20 units		18. <u>Tobacco Shop</u> : No food or beverages are consumed or provided to patrons	
7. There are no self-service tobacco displays		19. <u>Smokers' Lounge</u> : No food or beverages are consumed or provided to patrons	
8. There is no smoking in an enclosed space at the place of employment		20. Sign - "No one under the age of 21 is allowed on these premises"	
9. There is no sale of tobacco to youth under the age of 21		21. Sign - "No consumption of food, beverages, or alcohol is allowed on these premises"	
10. <u>Pharmacy</u> : There is no sale of tobacco, tobacco products, and tobacco paraphernalia		22. Sign - "No use of tobacco, tobacco products, or tobacco paraphernalia is allowed on these premises"	
11. <u>Cease and Desist</u> : All tobacco (including paraphernalia) are removed		23. Sign - "Food or beverages cannot be consumed / no food or beverages can be provided to patrons"	
12. TRL suspension/revocation notices are properly posted		24. Sign - "Smoking is prohibited except in designated areas"	
		25. Sign - "No loitering is allowed"	

Materials Provided:	Referral Made To:	
<input type="checkbox"/> TRL FAQ / Flyer <input type="checkbox"/> Tobacco Laws <input type="checkbox"/> Declaration of Non-Tobacco Retailing <input type="checkbox"/> STAKE ACT age-of-sale warning sign(s) <input type="checkbox"/> Other: (See Overall Inspection Comments)	<input type="checkbox"/> Business License Commission <input type="checkbox"/> County Counsel <input type="checkbox"/> Environmental Health <input type="checkbox"/> Sheriff's Department <input type="checkbox"/> Treasurer and Tax Collector	<input type="checkbox"/> Office of the Attorney General <input type="checkbox"/> CA Dept. of Public Health <input type="checkbox"/> CA Dept. of Tax and Fee Administration <input type="checkbox"/> Other: (See Overall Inspection Comments)

Owner / Retail Representative Signature

EHT Signature



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OVERALL INSPECTION COMMENTS

SAMPLE

It is improper and illegal for any County officer, employee or inspector to solicit bribes, gifts or gratuities in connection with performing their official duties. Improper solicitations include requests for anything of value such as cash, free services, paid travel or entertainment, or tangible items such as food or beverages. Any attempt by a County employee to solicit bribes, gifts or gratuities for any reason should be reported immediately to either the County manager responsible for supervising the employee or the Fraud Hotline at (800) 544-6881 or www.lacountyfraud.org. **YOU MAY REMAIN ANONYMOUS.**

*The Los Angeles County Tobacco Retail License application documents are available at <http://www.publichealth.lacounty.gov/tob>. The documents can also be obtained in person, by fax, or email. Los Angeles County Department of Public Health, Tobacco Control and Prevention Program, 3530 Wilshire Blvd., Suite 800, Los Angeles, CA 90010; Phone - (213) 351-7890; Fax - (213) 351-2710; Email - tobacco1@ph.lacounty.gov.

**For additional information about the state tobacco retailer's license issued by the California Department of Tax and Fee Administration, go to <https://www.cdtfa.ca.gov/> or call (800) 400-7115.

The signature of the Owner/Retailer Representative below is for the sole purpose of acknowledging receipt of a copy of this report. Signing this document is not an admission of the facts of the violation(s) set forth above.

ALL TOBACCO RETAILER INSPECTIONS

1. Valid LA County TRL is displayed

This is marked **OUT** if the tobacco retail facility does not have a valid TRL prominently displayed in a publicly visible location at the licensed premises.

This is marked **COS** if the tobacco retail facility has a valid TRL in an improper location on the premises, such as in a binder, storage room, office, beneath the counter, etc., but it is prominently displayed in a publicly visible location prior to completion of the inspection.

Legal Requirement(s):

- All tobacco retail facilities in the unincorporated area of Los Angeles County must have a valid TRL to sell tobacco, tobacco products, and tobacco paraphernalia. The TRL must be prominently displayed in a publicly visible location at the licensed premises.
- If a proprietor has more than one tobacco retail facility in the unincorporated area of Los Angeles County, each location must have its own separate TRL.
- If a TRL is revoked or suspended for any period of time, a Tobacco Shop business license (required only of Tobacco Shops) will also be automatically revoked or suspended for the same period.

Corrective Action(s):

- Immediately cease the sale and display of tobacco, tobacco products, and tobacco paraphernalia until a LA County TRL is obtained and prominently displayed in a publicly visible location at the licensed premises. All tobacco, tobacco products, and tobacco paraphernalia must be removed from view, including from displays and behind counter storage areas, whether or not visible to the public. They must be placed in a room that is separate from the area where point of sale transactions occur, or removed from the tobacco retail location entirely.

Penalties:

- First Violation: Correct the violation on site and post the valid TRL in a prominently displayed, publicly visible location at the licensed premises. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: \$250 fine if the TRL is not properly displayed.
- Third Violation: \$500 fine if the TRL is not properly displayed.
- Fourth Violation: 7-day TRL suspension.
- If operating without a valid TRL: Immediately cease the sale and display of tobacco, tobacco products, and tobacco paraphernalia until a LA County TRL is obtained and prominently displayed in a publicly visible location at the licensed premises. All tobacco, tobacco products, and tobacco paraphernalia must be removed from view, including from displays and behind counter storage areas, whether or not visible to the public. They must be placed in a room that is separate from the area where point of sale transactions occur, or removed from the tobacco retail location entirely.

Los Angeles County Code, Chapters: 8.04.946(A), 11.35.070(C), 11.35.100(D)

2. Valid CDTFE License is displayed

This is marked **OUT** if the tobacco retail facility does not have a valid State tobacco retailer's license (CDTFA) conspicuously displayed.

This is marked **COS** if the tobacco retail facility has a valid CDTFA in an improper location on the premises, such as in a binder, storage room, office, beneath the counter, etc., but it is conspicuously displayed prior to completion of the inspection.

Legal Requirement(s):

- A valid CDTFA must be conspicuously displayed.

Corrective Action(s):

- Immediately cease the sale and display of tobacco, tobacco products, and tobacco paraphernalia until a CDTFA License is obtained and conspicuously displayed in a publicly visible location at the licensed premises. All tobacco, tobacco products, and tobacco paraphernalia must be removed from view, including from displays and behind counter storage areas, whether or not visible to the public. They must be placed in a room that is separate from the area where point of sale transactions occur, or removed from the tobacco retail location entirely.

Penalties:

- First Violation: Correct the violation on site and post the valid CDTFA License in a prominently displayed, publicly visible location at the licensed premises. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: \$250 fine if the CDTFA License is not properly displayed.
- Third Violation: \$500 fine if the CDTFA License is not properly displayed.
- Fourth Violation: 7-day TRL suspension.
- If operating without a valid CDTFA License: Immediately cease the sale and display of tobacco, tobacco products, and tobacco paraphernalia until a CDTFA License is obtained and conspicuously displayed in a publicly visible location at the licensed premises. All tobacco, tobacco products, and tobacco paraphernalia must be removed from view, including from displays and behind counter storage areas, whether or not visible to the public. They must be placed in a room that is separate from the area where point of sale transactions occur, or removed from the tobacco retail location entirely.

**California Business and Professions Code, Sections: 22972(a), 22972(b);
Los Angeles County Code, Chapters: 8.04.946(A), 11.35.100(D)**

3. STAKE Act age-of-sale warning sign is displayed at the point of purchase

This is marked **OUT** if the tobacco retail facility does not have age-of-sale warning signs posted at each point of purchase (cash register).

This is marked **COS** if the tobacco retail facility posts age-of-sale warning signs at each point of purchase prior to completion of the inspection.

Legal Requirement(s):

- Retailers must post conspicuously, at each point of purchase, a notice stating that selling tobacco products to anyone under 21 years of age is illegal and subject to penalties. The notice shall also state that the law requires that all persons selling tobacco products check the identification of a purchaser of tobacco products who reasonably appears to

be under 21 years of age. The warning signs shall include a toll-free telephone number for persons to report unlawful sales of tobacco products to any person under 21 years of age.

Corrective Action(s):

- Post required STAKE Act warning signs at each point of purchase.

Penalties:

- First Violation: Correct the violation on site and post the required STAKE Act warning signs at each point of purchase. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: \$250 fine if STAKE Act warning signs are not properly posted.
- Third Violation: \$500 fine if STAKE Act warning signs are not properly posted.
- Fourth Violation: 7-day TRL suspension if STAKE Act warning signs are not properly posted.

**California Business and Professions Code, Section: 22952(b);
Los Angeles County Code, Chapters: 8.04.946(A), 11.35.100(D)**

4. There is no sale/possession with the intent to sell-offer for sale of flavored tobacco products

This is marked **OUT** if the tobacco retail facility is selling and/or offering for sale flavored tobacco products.

Legal Requirement(s):

- A tobacco retailer/licensee or its agent(s) or employee(s) may not sell or offer for sale, or possess with the intent to sell or offer for sale, any flavored tobacco product or any component, part, or accessory intended to impart, or imparting a characterizing flavor in any form, to any tobacco product or nicotine delivery device, including electronic smoking devices. This includes, but is not limited to, menthol cigarettes, flavored little cigars, flavored vaping products (including flavored vaping juices not containing tobacco or nicotine), flavored chew, flavored hookah tobacco, and flavored pipe tobacco.

Corrective Action(s):

- The sale and display of flavored tobacco products must immediately cease. All flavored tobacco, flavored tobacco products, and flavored tobacco paraphernalia must be immediately removed from the premises.

Penalties:

- First Violation in a 5-Year Period: Immediately cease the sale and display of flavored tobacco products. 14-day TRL suspension and a \$500 fine if the retailer is selling flavored tobacco products. Upon receiving the suspension notice, the retailer must immediately cease and desist the sale of tobacco, tobacco products, and tobacco paraphernalia. All tobacco, tobacco products, and tobacco paraphernalia must be immediately removed from the premises.
- Second Violation in a 5-Year Period: Immediately cease the sale and display of flavored tobacco products. 45-day TRL suspension and a \$500 fine if the retailer is selling flavored tobacco products. Upon receiving the suspension notice, the retailer must immediately cease and desist the sale of tobacco, tobacco products, and tobacco

paraphernalia. All tobacco, tobacco products, and tobacco paraphernalia must be immediately removed from the premises.

- Third Violation in a 5-Year Period: Immediately cease the sale and display of flavored tobacco products. 90-day TRL suspension and a \$500 fine if the retailer is selling flavored tobacco products. Upon receiving the suspension notice, the retailer must immediately cease and desist the sale of tobacco, tobacco products, and tobacco paraphernalia. All tobacco, tobacco products, and tobacco paraphernalia must be immediately removed from the premises.
- Fourth Violation in a 5-Year Period: Immediately cease the sale and display of flavored tobacco products. Revocation of TRL and a \$500 fine if the retailer is selling flavored tobacco products. Upon receiving the revocation notice, the retailer must immediately cease and desist the sale of tobacco, tobacco products, and tobacco paraphernalia. All tobacco, tobacco products, and tobacco paraphernalia must be immediately removed from the premises.

Los Angeles County Code, Chapters: 8.04.946(A), 11.35.070(E), 11.35.100(D)

5. Cigarettes are sold in sealed packs with no less than 20 units

This is marked **OUT** if the tobacco retail facility is selling single cigarettes.

This is marked **COS** if the tobacco retail facility stops selling single cigarettes prior to completion of the inspection.

Legal Requirement(s):

- No person may sell one or more cigarettes, other than in a sealed and properly labeled package.
- “A sealed and properly labeled package” means the original packaging or sanitary wrapping of the manufacturer or importer which conforms to federal labeling requirements, including the federal warning label.
- A person, firm, corporation, or business may not manufacture for sale, distribute, sell, or offer to sell any cigarette, except in a package containing at least 20 cigarettes.

Corrective Action(s):

- Immediately discontinue the sale/display/storage of open packs and/or single cigarettes.

Penalties:

- First Violation: Correct the violation on site and immediately discontinue the sale/display/storage of open packs and/or single cigarettes. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: \$250 fine if the retailer is selling cigarettes in sealed packs of less than 20 units.
- Third Violation: \$500 fine if the retailer is selling cigarettes in sealed packs of less than 20 units.
- Fourth Violation: 7-day TRL suspension if the retailer is selling cigarettes in sealed packs of less than 20 units.

California Penal Code, Sections: 308.2, 308.3;
Los Angeles County Code, Chapters: 8.04.946(A), 11.35.100(D)

6. Little cigars or cigarillos are not sold individually or in packages of less than 20 units

This is marked **OUT** if the tobacco retail facility is selling and/or displaying little cigars in packages of less than 20 units (one unit equals one little cigar).

This is marked **COS** if the tobacco retail facility stops selling and/or displaying little cigars in packages of less than 20 units prior to completion of the inspection.

Legal Requirement(s):

- No tobacco retailer/licensee or its agent(s) or employee(s) may sell or offer for sale any little cigar unless it is sold in a package of at least 20 little cigars. Little cigars may not be sold individually or in packages of less than 20 units.
- Little cigars in smaller package sizes of less than 20 units may not be bundled/combined together to equal 20 units or more. They can only be sold in a single sealed manufacturer's packages of 20 units or more.

Additional Guidance: The Department of Public Health **WILL NOT** enforce pack size restrictions on tobacco products labeled as **cigarillos**. The minimum pack size requirement will only apply to products labeled by the manufacturer as a little cigar or small cigar. Flavored tobacco products, including flavored cigarillos and little cigars, other than tobacco flavored, cannot be sold in the unincorporated areas of the County of Los Angeles regardless of pack size.

Corrective Action(s):

- Immediately cease the sale of little cigars in packages of less than 20 units.

Penalties:

- First Violation: Correct the violation on site and immediately cease the sale of little cigars in packages of less than 20 units. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: \$250 fine if the retailer is selling little cigars in packages of less than 20 units.
- Third Violation: \$500 fine if the retailer is selling little cigars in packages of less than 20 units.
- Fourth Violation: 7-day TRL suspension if the retailer is selling little cigars in packages of less than 20 units.

Los Angeles County Code, Chapters: 8.04.946(A), 11.35.070(F), 11.35.100(D)

7. There are no self-service tobacco displays

This is marked **OUT** if the tobacco retail facility has self-service tobacco displays.

This is marked **COS** if the tobacco retail facility removes all tobacco, tobacco products, and tobacco paraphernalia from self-service displays and places them in locations that are inaccessible by the public, such as behind counters and/or in locked display cases, prior to completion of the inspection.

Legal Requirement(s):

- Tobacco retail facilities are not allowed to sell, offer for sale, or display any tobacco, tobacco product, and tobacco paraphernalia by self-service display.

Exception(s):

- A Tobacco Shop may have self-service displays of cigars, pipe tobacco, snuff, chewing tobacco, or dipping tobacco, provided that in the case of cigars they are generally not sold or offered for sale in a sealed package of the manufacturer or importer containing less than six cigars. Self-service displays of cigarettes and tobacco paraphernalia are not allowed in a tobacco shop.

Corrective Action(s):

- Immediately remove self-service displays of tobacco.

Penalties:

- First Violation: Correct the violation on site and immediately remove self-service displays of tobacco. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: \$250 fine if the retailer has self-service tobacco displays.
- Third Violation: \$500 fine if the retailer has self-service tobacco displays.
- Fourth Violation: 7-day TRL suspension if the retailer has self-service tobacco displays.

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**California Business and Professions Code, Sections: 22962(b)(1)(A), 22962(c);
 Los Angeles County Code, Chapters: 8.04.946(A), 11.35.070(G), 11.35.100(D)**

8. There is no smoking in an enclosed space at the place of employment

This is marked **OUT** if smoking is observed in the tobacco retail facility.

This is marked **COS** if the tobacco retail facility ceases to permit smoking inside the premises prior to completion of the inspection.

Legal Requirement(s):

- An employer or owner-operator of an owner-operated business shall not knowingly or intentionally permit, and a person shall not engage in, the smoking of tobacco products at a place of employment or in an enclosed space.
- An “owner-operated business” means a business having no employees, independent contractors, or volunteers, in which the owner-operator of the business is the only worker. “Enclosed space” includes covered parking lots, lobbies, lounges, waiting areas, elevators, stairwells, and restrooms that are a structural part of the building.

Exception(s):

- Smoking is permitted only in a Smokers’ Lounge.

Corrective Action(s):

- Immediately cease smoking and/or vaping inside the premises.

Penalties:

- First Violation: Correct the violation on site and immediately cease smoking and/or vaping inside the premises. If the violation is unable to be corrected on site, the retailer is out of compliance.

- Second Violation: \$250 fine if smoking and/or vaping is observed in the tobacco retail facility.
- Third Violation: \$500 fine if smoking and/or vaping is observed in the tobacco retail facility.
- Fourth Violation: 7-day TRL suspension if smoking and/or vaping is observed in the tobacco retail facility.

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California Labor Code, Section: 6404.5(c);
Los Angeles County Code, Chapters: 8.04.946(A), 11.35.100(D)

9. There is no sale of tobacco to youth under the age of 21

This is marked **OUT** if the tobacco retail facility sells tobacco to a youth or young adult under the age of 21.

This is marked **NA** if the inspection does not involve the sale of tobacco to a youth or young adult under the age of 21.

Legal Requirement(s):

- The minimum age to purchase tobacco is 21.

Additional Guidance: As of December 20, 2019, federal law explicitly prohibits retailers from selling tobacco products to anyone under the age of 21. This includes United States Military with valid identification of active service.

Corrective Action(s):

- Retailers must not sell tobacco, tobacco products, and tobacco paraphernalia to anyone under the age of 21.
- Retailers must check the I.D. of any youth or young adult attempting to purchase tobacco to ensure purchaser is 21 years of age or older.

Penalties:

- First Violation in a 5-Year Period: 30-day TRL suspension and a \$500 fine if the tobacco retail facility sells tobacco to a youth or young adult under the age of 21. Upon receiving the suspension notice, the retailer must immediately cease and desist the sale of tobacco, tobacco products, and tobacco paraphernalia. All tobacco, tobacco products, and tobacco paraphernalia must be immediately removed from the premises.
- Second Violation in a 5-Year Period: 90-day TRL suspension and a \$500 fine if the tobacco retail facility sells tobacco to a youth or young adult under the age of 21. Upon receiving the suspension notice, the retailer must immediately cease and desist the sale of tobacco, tobacco products, and tobacco paraphernalia. All tobacco, tobacco products, and tobacco paraphernalia must be immediately removed from the premises.
- Third Violation in a 5-Year Period: 120-day TRL suspension and a \$500 fine if the tobacco retail facility sells tobacco to a youth or young adult under the age of 21. Upon receiving the suspension notice, the retailer must immediately cease and desist the sale of tobacco, tobacco products, and tobacco paraphernalia. All tobacco, tobacco products, and tobacco paraphernalia must be immediately removed from the premises.
- Fourth Violation in a 5-Year Period: Revocation of TRL and a \$500 fine if the tobacco retail facility sells tobacco to a youth or young adult under the age of 21. Upon receiving the revocation notice, the retailer must immediately cease and desist the sale of

tobacco, tobacco products, and tobacco paraphernalia. All tobacco, tobacco products, and tobacco paraphernalia must be immediately removed from the premises.

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Federal Food, Drug, and Cosmetic Act 906(d)(5);

California Penal Code, Section: 308(a);

Los Angeles County Code, Chapters: 7.83.040(D), 8.04.946(A), 11.35.080(A), 11.35.100(D)

10. Pharmacy: There is no sale of tobacco, tobacco products, and tobacco paraphernalia

This is marked **OUT** if the pharmacy is selling and/or displaying tobacco, tobacco products, and/or tobacco paraphernalia after June 30, 2020.

This is marked **COS** if the pharmacy stops selling and/or displaying tobacco, tobacco products, and/or tobacco paraphernalia prior to completion of the inspection.

This is marked **NA** if a pharmacy is not being inspected.

Legal Requirement(s):

- No TRL will be issued to new pharmacies, and no pharmacy with an existing TRL will be renewed to authorize tobacco retailing in a pharmacy, including any location with an on-site pharmacy.

Corrective Action(s):

- All tobacco, tobacco products, and tobacco paraphernalia must be immediately removed from the premises.

Penalties:

- First Violation: Correct the violation on site. The retailer must immediately cease and desist the sale of tobacco, tobacco products, and tobacco paraphernalia. All tobacco, tobacco products, and tobacco paraphernalia must be immediately removed from the premises. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: Refer to County Counsel for follow-up and a \$250 fine.
- Third Violation: Refer to County Counsel for follow-up and a \$500 fine.
- Fourth Violation: Refer to County Counsel for follow-up and a \$750 fine.

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Los Angeles County Code, Chapters: 8.04.946(A), 11.35.070(I), 11.35.100(D)

11. Cease and Desist: All tobacco products (including paraphernalia) are removed

This is marked **OUT** if the tobacco retail facility continues to sell and/or display tobacco, tobacco products, and tobacco paraphernalia during a TRL suspension/revocation period, or after a Cease and Desist notice has been issued.

This is marked **NA** if the tobacco retail facility has not been issued a TRL suspension/revocation or a Cease and Desist notice to stop the sale and display of tobacco, tobacco products, and tobacco paraphernalia.

Legal Requirement(s):

- During a TRL suspension/revocation, the sale and display of tobacco, tobacco products, and tobacco paraphernalia is prohibited. All tobacco, tobacco products, and tobacco paraphernalia must be removed from view, including from displays and behind counter storage areas, whether or not visible to the public. They must be placed in a room that is separate from the area where point of sale transactions occur, or removed from the tobacco retail facility entirely.
- After a Cease and Desist notice has been issued, the sale and display of tobacco, tobacco products, and tobacco paraphernalia is prohibited. All tobacco, tobacco products, and tobacco paraphernalia must be removed from view, including from displays and behind counter storage areas, whether or not visible to the public. They must be placed in a room that is separate from the area where point of sale transactions occur, or removed from the tobacco retail facility entirely.

Corrective Action(s):

- A retailer that is selling tobacco without a valid TRL, a valid CDTFA License, or a valid Tobacco Shop business license must immediately cease the sale and display of tobacco, tobacco products, and tobacco paraphernalia. A retailer that has received a TRL suspension notification must cease the sale and display of tobacco, tobacco products, and tobacco paraphernalia during the specified suspension period. All tobacco, tobacco products, and tobacco paraphernalia must be removed from view, including from displays and behind counter storage areas, whether or not visible to the public. They must be placed in a room that is separate from the area where point of sale transactions occur, or removed from the tobacco retail location entirely.
- Pursuant to 11.35.120(B), a person found to have engaged in tobacco retailing without a valid Tobacco Retail License shall be ineligible to apply for or be issued a Tobacco Retail License as follows:
 1. After a person is caught in violation of this Section, no new Tobacco Retail License may be issued for the person as a proprietor until 30 days have passed from the date of the violation; and
 2. Each day that a person engages in tobacco retailing without a valid Tobacco Retail License shall constitute a separate violation.

Penalties:

- First Violation: \$500 fine if a tobacco retail facility continues to sell and/or display tobacco, tobacco products, and tobacco paraphernalia during a TRL suspension/revocation period, or after a Cease and Desist notice has been issued.
- Second Violation: Refer to County Counsel for follow-up and a \$750 fine if a tobacco retail facility continues to sell and/or display tobacco, tobacco products, and tobacco paraphernalia during a TRL suspension/revocation period, or after a Cease and Desist notice has been issued.
- Third Violation: Refer to County Counsel for follow-up and a \$1000 fine if a tobacco retail facility continues to sell and/or display tobacco, tobacco products, and tobacco paraphernalia during a TRL suspension/revocation period, or after a Cease and Desist notice has been issued.
- Fourth Violation: Refer to County Counsel for follow-up and a \$1000 fine if a tobacco retail facility continues to sell and/or display tobacco, tobacco products, and tobacco paraphernalia during a TRL suspension/revocation period, or after a Cease and Desist notice has been issued.

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Los Angeles County Code, Chapters: 8.04.946(A), 11.35.100(B), 11.35.100(D), 11.35.120(B)

12. TRL suspension/revocation notices are properly posted

This is marked **OUT** if the tobacco retail facility during a TRL suspension/revocation has not posted the required TRL suspension/revocation notice in the appropriate locations.

This is marked **COS** if the tobacco retail facility posts the required TRL suspension/revocation notice in the appropriate locations prior to completion of the inspection.

This is marked **NA** if the inspection does not occur during a TRL suspension/revocation.

Legal Requirement(s):

- During any period of suspension or revocation, the tobacco relater/licensee shall conspicuously post, at each point of sale register and near the entrance door of the tobacco retail location, a notice of a Tobacco Retail License suspension provided by the Department of Public Health. The notice shall include the suspension or revocation period, reason for suspension or revocation, tobacco retailer/licensee and location information, and Department of Public Health contact information to report violations.

Corrective Action(s):

- A TRL suspension/revocation notice must be conspicuously posted at each point of sale register and near the entrance door of the tobacco retail location.

Penalties:

- First Violation: Correct the violation on site. The retailer must conspicuously post a TRL suspension/revocation notice must be at each point of sale register and near the entrance door of the tobacco retail location. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: \$250 fine if the tobacco retail facility during a TRL suspension/revocation has not posted the required TRL suspension/revocation notice in the appropriate locations.
- Third Violation: \$500 fine if the tobacco retail facility during a TRL suspension/revocation has not posted the required TRL suspension/revocation notice in the appropriate locations.
- Fourth Violation: 7-day TRL suspension if the tobacco retail facility during a TRL suspension/revocation has not posted the required TRL suspension/revocation notice in the appropriate locations.

Los Angeles County Code, Chapters: 8.04.946(A), 11.35.100(C), 11.35.100(D)

TOBACCO SHOP INSPECTIONS

13. Valid LA County Tobacco Shop Business License is displayed

This is marked **OUT** if the Tobacco Shop does not have a valid LA County Tobacco Shop business license posted in some conspicuous part of the business.

This is marked **COS** if the Tobacco Shop has a valid LA County Tobacco Shop business license in an improper location on the premises, such as in a binder, storage room, office, beneath the counter, etc., but it is posted in a conspicuous part of the business prior to completion of the inspection.

This is marked **NA** if the tobacco retail facility is not a Tobacco Shop, including a Smokers' Lounge.

Legal Requirement(s):

- A Tobacco Shop, including a Smokers' Lounge, in the unincorporated area of Los Angeles County, devoted exclusively or predominantly to the sale of tobacco, tobacco products, and tobacco paraphernalia, must have a valid Los Angeles County Tobacco Shop business license.
 3. If the Tobacco Shop business license is revoked or suspended for any period of time, the TRL will also be automatically revoked or suspended for the same period.

Corrective Action(s):

- Immediately cease the sale and display of tobacco, tobacco products, and tobacco paraphernalia until a Tobacco Shop business license is obtained and prominently displayed in a publicly visible location at the licensed premises. All tobacco, tobacco products, and tobacco paraphernalia must be removed from view, including from displays and behind counter storage areas, whether or not visible to the public. They must be placed in a room that is separate from the area where point of sale transactions occur, or removed from the tobacco retail location entirely.

Penalties:

4. First Violation: Correct the violation on site and post the valid Tobacco Shop business license in a prominently displayed, publicly visible location at the licensed premises. If the violation is unable to be corrected on site, the retailer is out of compliance.
5. Second Violation: \$250 fine if the valid Tobacco Shop business license is not properly displayed.
6. Third Violation: \$500 fine if the valid Tobacco Shop Business License is not properly displayed.
7. Fourth Violation: 7-day TRL suspension.
8. If operating without a valid Tobacco Shop business license: Immediately cease the sale and display of tobacco, tobacco products, and tobacco paraphernalia until a Tobacco Shop business license is obtained and prominently displayed in a publicly visible location at the licensed premises. All tobacco, tobacco products, and tobacco paraphernalia must be removed from view, including from displays and behind counter storage areas, whether or not visible to the public. They must be placed in a room that is separate from the area where point of sale transactions occur, or removed from the tobacco retail location entirely.

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Los Angeles County Code, Chapters: 7.04.070, 7.83.030(A), 8.04.946(A), 11.35.055(A), 11.35.110(D)

14. Recognizable and readable sign identifying the Tobacco Shop is posted at the building entrance

This is marked **OUT** if the Tobacco Shop does not have a recognizable and readable sign clearly identifying the Tobacco Shop posted at the building entrance.

This is marked **COS** if the Tobacco Shop posts a recognizable and readable sign clearly identifying the Tobacco Shop at the building entrance prior to completion of the inspection.

This is marked **NA** if the tobacco retail facility is not a Tobacco Shop, including a Smokers' Lounge.

Legal Requirement(s):

- A recognizable and readable sign clearly identifying the Tobacco Shop shall be posted at the building entrance of the Tobacco Shop. Signage must meet the requirements of this Code.

Corrective Action(s):

- A recognizable and readable sign clearly identifying the Tobacco Shop must be posted at the building entrance.

Penalties:

- First Violation: Correct the violation on site and post a sign clearly identifying the Tobacco Shop at the building entrance. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: \$250 fine if no sign clearly identifying the Tobacco Shop is posted.
- Third Violation: \$500 fine if no sign clearly identifying the Tobacco Shop is posted.
- Fourth Violation: 7-day TRL suspension if no sign clearly identifying the Tobacco Shop is posted.

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Los Angeles County Code, Chapters: 7.83.040(A), 8.04.946(A), 11.35.100(D)

15. Exterior facing tobacco product ads do not occupy an area larger than 14 square feet

This is marked **OUT** if a Tobacco Shop's exterior facing advertisements of tobacco products occupy an area larger than 14 square feet.

This is marked **COS** if the Tobacco Shop removes exterior facing advertisements of tobacco products that occupy an area larger than 14 square feet prior to completion of the inspection.

This is marked **NA** if the tobacco retail facility is not a Tobacco Shop, including a Smokers' Lounge.

Legal Requirement(s):

- Exterior facing advertisements of tobacco products may not occupy an area larger than 14 square feet. Such advertisements may not be placed next to any other outward facing advertisement so as to create a single mosaic type advertisement larger than 14 square feet. It is a violation of this Chapter to violate any federal, State, or local law regulating exterior storefront window or door advertising.

Corrective Action(s):

- The Tobacco Shop must remove sufficient exterior facing advertisements to meet the 14 square feet of area allowed.

Penalties:

- First Violation: Correct the violation on site and remove exterior facing advertisements of tobacco products that occupy an area larger than 14 square feet. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: \$250 fine if the Tobacco Shop's exterior facing advertisements of tobacco products occupy an area larger than 14 square feet.
- Third Violation: \$500 fine if the Tobacco Shop's exterior facing advertisements of tobacco products occupy an area larger than 14 square feet.
- Fourth Violation: 7-day TRL suspension if the Tobacco Shop's exterior facing advertisements of tobacco products occupy an area larger than 14 square feet.

Los Angeles County Code, Chapters: 7.83.040(B), 8.04.946(A), 11.35.100(D)

16. There is sufficient exterior lighting at all exterior ground areas, including the parking lot

This is marked **OUT** if the exterior lighting of the Tobacco Shop is insufficient.

This is marked **COS** if the Tobacco Shop provides sufficient exterior lighting at all exterior ground areas, including the parking lot, prior to completion of the inspection.

This is marked **NA** if the tobacco retail facility is not a Tobacco Shop, including a Smokers' Lounge, or if the facility is being inspected when the lights would not be in use (i.e., during the day).

Legal Requirement(s):

- All areas of the entire exterior grounds of the Tobacco Shop, including the parking lot, require sufficient exterior lighting, so that all such areas are clearly visible during business hours.

Corrective Action(s):

- Sufficient exterior lighting must be installed in all areas of the entire grounds of the Tobacco Shop, including the parking lot, so that all areas are clearly visible during business hours.

Penalties:

- First Violation: Correct the violation on site and add sufficient exterior lighting at all exterior ground, including the parking lot. If the violation is unable to be corrected on site, the retailer is out of compliance.

- Second Violation: \$250 fine if the Tobacco Shop does not have sufficient exterior lighting at all exterior grounds, including the parking lot.
- Third Violation: \$500 fine if the Tobacco Shop does not have sufficient exterior lighting at all exterior grounds, including the parking lot.
- Fourth Violation: 7-day TRL suspension if the Tobacco Shop does not have sufficient exterior lighting at all exterior grounds, including the parking lot.

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Los Angeles County Code, Chapters: 7.83.040(E), 8.04.946(A), 11.35.100(D)

17. There is no loitering in or around the Tobacco Shop

This is marked **OUT** if loitering is occurring in or around the Tobacco Shop.

This is marked **COS** if the Tobacco Shop ceases to permit loitering in or around the Tobacco Shop prior to completion of the inspection.

This is marked **NA** if the tobacco retail facility is not a Tobacco Shop, including a Smokers' Lounge.

Legal Requirement(s):

- Loitering in or around the Tobacco Shop is prohibited.
- Tobacco Shops must ensure the absence of loitering.

Corrective Action(s):

- The Tobacco Shop must ensure the absence of loitering in or around their tobacco retail location.

Penalties:

- First Violation: Correct the violation on site and ensure there is no loitering in or around the Tobacco Shop. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: \$250 fine if there is loitering in or around the tobacco shop.
- Third Violation: \$500 fine if there is loitering in or around the tobacco shop.
- Fourth Violation: 7-day TRL suspension if there is loitering in or around the tobacco shop.

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Los Angeles County Code, Chapters: 7.83.080(A), 8.04.946(A), 11.35.100(D)

18. Tobacco Shop: No food or beverages are consumed by or provided to patrons

This is marked **OUT** if food or beverages, including alcohol, are consumed by patrons, or the Tobacco Shop is providing food or beverages, including alcohol, to patrons for consumption on the premises.

This is marked **COS** if the Tobacco Shop ceases to permit food and beverages, including alcohol, to be consumed by or provided to patrons on the premises prior to completion of the inspection.

This is marked **NA** if the tobacco retail facility is not a Tobacco Shop, including a Smokers' Lounge.

Legal Requirement(s):

- Consuming food or beverages, including alcohol, by patrons, or providing food or beverages, including alcohol, to patrons for consumption on the premises of a Tobacco Shop is prohibited.

Corrective Action(s):

- The Tobacco Shop must immediately cease allowing patrons to consume food or beverages, including alcohol, and/or immediately cease providing food or beverages, including alcohol, to patrons for consumption on the premises.

Penalties:

- First Violation: Correct the violation on site and ensure there is no food or beverages, including alcohol, consumed by or provided to patrons. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: \$250 fine if there is food or beverages, including alcohol, consumed by or provided to patrons.
- Third Violation: \$500 fine if there is food or beverages, including alcohol, consumed by or provided to patrons.
- Fourth Violation: 7-day TRL suspension if there is food or beverages, including alcohol, consumed by or provided to patrons.

Los Angeles County Code, Chapters: 7.83.050(A), 8.04.946(A), 11.35.100(D)

19. Smokers' Lounge: No food or beverages are consumed by or provided to patrons

This is marked **OUT** if food or beverages, including alcohol, are consumed by patrons, or the Smokers' Lounge is providing food or beverages, including alcohol, to patrons for consumption on the premises.

This is marked **COS** if the Smokers' Lounge ceases to permit food and beverages, including alcohol, to be consumed by or provided to patrons on the premises prior to completion of the inspection.

This is marked **NA** if the tobacco retail facility is anything other than a Smokers' Lounge.

Legal Requirement(s):

- Consuming food or beverages, including alcohol, by patrons, or providing food or beverages, including alcohol, to patrons for consumption on the premises of a Smokers' Lounge is prohibited.

Corrective Action(s):

- The Smokers' Lounge must immediately cease allowing patrons to consume food or beverages, including alcohol, and/or immediately cease providing food or beverages, including alcohol, to patrons for consumption on the premises.

Penalties:

- First Violation: Correct the violation on site and ensure there is no food or beverages, including alcohol, consumed by or provided to patrons. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: \$250 fine if there is food or beverages, including alcohol, consumed by or provided to patrons.
- Third Violation: \$500 fine if there is food or beverages, including alcohol, consumed by or provided to patrons.
- Fourth Violation: 7-day TRL suspension if there is food or beverages, including alcohol, consumed by or provided to patrons.

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Los Angeles County Code, Chapters: 7.83.070(C), 8.04.946(A), 11.35.100(D)

20. Sign - "No one under the age of 21 is allowed on these premises"

This is marked **OUT** if the Tobacco Shop does not have a "No one under the age of 21 is allowed on these premises" sign posted at the entrance of the premises.

This is marked **COS** if the Tobacco Shop posts the required sign "No one under the age of 21 is allowed on these premises" at the entrance of the premises prior to completion of the inspection.

This is marked **NA** if the tobacco retail facility is not a Tobacco Shop, including a Smokers' Lounge.

Legal Requirement(s):

- No one under the age of 21 is allowed on the premises of a Tobacco Shop.
- A sign stating, "No one under the age of 21 is allowed on these premises" shall be posted at the entrance of the Tobacco Shop.

Additional Guidance: As of December 20, 2019, federal law explicitly prohibits retailers from selling tobacco products to anyone under the age of 21. This includes United States Military with valid identification of active service. Thus, the sign should read "No one under the age of 21 is allowed on these premises." Please contact the Tobacco Control and Prevention Program at tobacco1@ph.lacounty.gov to request the approved signage via the mail or visit <http://publichealth.lacounty.gov/tov> to download and print the signage.

Corrective Action(s):

- The required signage must be posted at the entrance of the Tobacco Shop.

Penalties:

- First Violation: Correct the violation on site and post the required signage. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: \$250 fine if the required signage is not posted.
- Third Violation: \$500 fine if the required signage is not posted.
- Fourth Violation: 7-day TRL suspension if the required signage is not posted.

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**Federal Food, Drug, and Cosmetics Act 906(d)(5);
 Los Angeles County Code, Chapters: 7.83.040(C), 8.04.946(A), 11.35.100(D)**

21. Sign - "No consumption of food, beverages, or alcohol is allowed on these premises"

This is marked **OUT** if the Tobacco Shop does not have a "No consumption of food, beverages, or alcohol is allowed on these premises" permanent sign or signs posted at the entrance of the premises.

This is marked **COS** if the Tobacco Shop posts the required sign "No consumption of food, beverages, or alcohol is allowed on these premises" at the entrance of the premises prior to completion of the inspection.

This is marked **NA** if the tobacco retail facility is not a Tobacco Shop, including a Smokers' Lounge.

Legal Requirement(s):

- A permanent sign or signs in a place clearly visible to patrons of the Tobacco Shop stating, "No consumption of food, beverages, or alcohol is allowed on these premises" is required.

Additional Guidance: Please contact the Tobacco Control and Prevention Program at tobacco1@ph.lacounty.gov to request the approved signage via the mail or visit <http://publichealth.lacounty.gov/tov> to download and print the signage.

Corrective Action(s):

- The required signage must be posted in a place clearly visible to patrons of the Tobacco Shop.

Penalties:

- First Violation: Correct the violation on site and post the required signage. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: \$250 fine if the required signage is not posted.
- Third Violation: \$500 fine if the required signage is not posted.
- Fourth Violation: 7-day TRL suspension if the required signage is not posted.

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Los Angeles County Code, Chapters: 7.83.050(B), 8.04.946(A), 11.35.100(D)

22. Sign - "No use of tobacco, tobacco products, or tobacco paraphernalia is allowed on these premises"

This is marked **OUT** if the Tobacco Shop does not have a "No use of tobacco, tobacco products, or tobacco paraphernalia is allowed on these premises" permanent sign or signs posted at the entrance of the premises and in a place clearly visible to patrons inside the Tobacco Shop.

This is marked **COS** if the Tobacco Shop posts the required sign "No use of tobacco, tobacco products, or tobacco paraphernalia is allowed on these premises" at the entrance of the premises and in a place clearly visible to patrons inside the Tobacco Shop prior to completion of the inspection.

This is marked **NA** if the tobacco retail facility is not a Tobacco Shop, including a Smokers' Lounge.

Legal Requirement(s):

- A permanent sign or signs posted at the building entrance and in a place clearly visible to patrons inside the Tobacco Shop stating, "No use of tobacco, tobacco products, or tobacco paraphernalia is allowed on these premises" is required, except in a Smokers' Lounge. The permanent signs must meet any additional requirements of this Code.

Exception(s):

- This sign is not required to be posted in a Smokers' Lounge.

Additional Guidance: Please contact the Tobacco Control and Prevention Program at tobacco1@ph.lacounty.gov to request the approved signage via the mail or visit <http://publichealth.lacounty.gov/tov> to download and print the signage.

Corrective Action(s):

- The required signage must be posted at the building entrance and in a place clearly visible to patrons inside the Tobacco Shop.

Penalties:

- First Violation: Correct the violation on site and post the required signage. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: \$250 fine if the required signage is not posted.
- Third Violation: \$500 fine if the required signage is not posted.
- Fourth Violation: 7-day TRL suspension if the required signage is not posted.

Los Angeles County Code, Chapters: 7.83.060(B), 8.04.946(A), 11.35.100(D)

23. Sign - Smokers' Lounge - "Food or beverages cannot be consumed/no food or beverages can be provided to patrons"

This is marked **OUT** if the Smokers' Lounge does not have a "Consuming food or beverages, including alcohol, by patrons, or providing food or beverages, including alcohol, to patrons, is prohibited in the Smokers' Lounge" permanent sign or signs posted in a place clearly visible to patrons.

This is marked **COS** if the Smokers' Lounge posts the required sign "Consuming food or beverages, including alcohol, by patrons, or providing food or beverages, including alcohol, to patrons, is prohibited in the Smokers' Lounge" in a place clearly visible to patrons prior to completion of the inspection.

This is marked **NA** if the tobacco retail facility is anything other than a Smokers' Lounge.

Legal Requirement(s):

- A permanent sign or signs posted in a place clearly visible to patrons of the Smokers' Lounge stating, "Consuming food or beverages, including alcohol, by patrons, or providing food or beverages, including alcohol, to patrons, is prohibited in the Smokers' Lounge" is required. The permanent signs must meet any additional requirements of this Code.

Additional Guidance: Please contact the Tobacco Control and Prevention Program at tobacco1@ph.lacounty.gov to request the approved signage via the mail or visit <http://publichealth.lacounty.gov/tov> to download and print the signage.

Corrective Action(s):

- The required signage must be posted in a place clearly visible to patrons of the Smokers' Lounge.

Penalties:

- First Violation: Correct the violation on site and post the required signage. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: \$250 fine if the required signage is not posted.
- Third Violation: \$500 fine if the required signage is not posted.
- Fourth Violation: 7-day TRL suspension if the required signage is not posted.

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Los Angeles County Code, Chapters: 7.83.070(D), 8.04.946(A), 11.35.100(D)

24. Sign - Smokers' Lounge - "Smoking is prohibited except in designated areas"

This is marked **OUT** if the Smokers' Lounge does not have a "Smoking is prohibited except in designated areas" permanent sign or signs posted at the entrance to the building or structure and in a place clearly visible to patrons.

This is marked **COS** if the Smokers' Lounge posts the required sign "Smoking is prohibited except in designated areas" at the entrance of the premises and in a place clearly visible to patrons prior to completion of the inspection.

This is marked **NA** if the tobacco retail facility is anything other than a Smokers' Lounge.

Legal Requirement(s):

- Smokers' Lounges shall post a permanent sign or signs at the entrance to the building or structure and in a place clearly visible to patrons inside the Tobacco Shop stating, "Smoking is prohibited except in designated areas." The permanent signs must meet any additional requirements of this Code.

Additional Guidance: Please contact the Tobacco Control and Prevention Program at tobacco1@ph.lacounty.gov to request the approved signage via the mail or visit <http://publichealth.lacounty.gov/tov> to download and print the signage.

Corrective Action(s):

- The required signage must be posted at the entrance to the building or structure and in a place clearly visible to patrons inside the Smokers' Lounge.

Penalties:

- First Violation: Correct the violation on site and post the required signage. If the violation is unable to be corrected on site, the retailer is out of compliance.
 - Second Violation: \$250 fine if the required signage is not posted.
 - Third Violation: \$500 fine if the required signage is not posted.
 - Fourth Violation: 7-day TRL suspension if the required signage is not posted.
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25. Sign - "No loitering is allowed"

This is marked **OUT** if the Tobacco Shop does not have a "No loitering is allowed" permanent sign or signs posted at the entrance to the building or structure and in a place clearly visible to patrons on the exterior areas the Tobacco Shop.

This is marked **COS** if the Tobacco Shop posts the required sign "No loitering is allowed" at the entrance of the premises and in a place clearly visible to patrons prior to completion of the inspection.

This is marked **NA** if the tobacco retail facility is not a Tobacco Shop, including a Smokers' Lounge.

Legal Requirement(s):

- A permanent sign or signs posted at the entrance to the building or structure and in a place clearly visible to patrons on the exterior areas of the Tobacco Shop stating, "No loitering is allowed" is required. The permanent signs must meet any additional requirements of this Code.

Additional Guidance: Please contact the Tobacco Control and Prevention Program at tobacco1@ph.lacounty.gov to request the approved signage via the mail or visit <http://publichealth.lacounty.gov/tov> to download and print the signage.

Corrective Action(s):

- The required signage must be posted at the entrance to the building or structure and in a place clearly visible to patrons on the exterior areas of the Tobacco Shop.

Penalties:

- First Violation: Correct the violation on site and post the required signage. If the violation is unable to be corrected on site, the retailer is out of compliance.
- Second Violation: \$250 fine if the required signage is not posted.
- Third Violation: \$500 fine if the required signage is not posted.
- Fourth Violation: 7-day TRL suspension if the required signage is not posted.

TOBACCO RETAILER SELF-INSPECTION CHECKLIST

The Self-Inspection Checklist is provided as a guideline for the tobacco retailer to use in evaluating their retail facility. It is separated by All Tobacco Retailers (#s 1-12) and Tobacco Shops (#s 13-25). Tobacco Shops must be in compliance with both sections (#s 1-25).

ALL TOBACCO RETAILER INSPECTIONS	MET	NOT MET	N/A
1. Valid LA County TRL is displayed			
2. Valid CDTFA License is displayed			
3. STAKE Act age-of-sale warning sign is displayed at the point of purchase			
4. There is no sale/possession with the intent to sell-offer for sale of flavored tobacco products			
5. Cigarettes are sold in sealed packs with no less than 20 units			
6. Little cigars are not sold individually or in packages of less than 20 units			
7. There are no self-service tobacco displays			
8. There is no smoking in an enclosed space at the place of employment			
9. There is no sale of tobacco to youth under the age of 21			
10. Pharmacy: There is no sale of tobacco, tobacco products, and tobacco paraphernalia			
11. Cease and Desist: All tobacco (including paraphernalia) are removed			
12. TRL suspension/revocation notices are properly posted			
TOBACCO SHOP INSPECTIONS	MET	NOT MET	NA
13. Valid LA County Tobacco Shop Business License is displayed			
14. Recognizable and readable sign identifying the Tobacco Shop is posted at the building entrance			
15. Exterior facing tobacco product ads do not occupy an area larger than 14 square feet			
16. There is sufficient exterior lighting at all exterior ground areas, including the parking lot			
17. There is no loitering in or around the Tobacco Shop			
18. Tobacco Shop: No food or beverages are consumed or provided to patrons			
19. Smokers' Lounge: No food or beverages are consumed or provided to patrons			
20. Sign - "No one under the age of 21 is allowed on these premises"			
21. Sign - "No consumption of food, beverages, or alcohol is allowed on these premises"			
22. Sign - "No use of tobacco, tobacco products, or tobacco paraphernalia is allowed on these premises"			
23. Sign - "Food or beverages cannot be consumed / no food or beverages can be provided to patrons"			
24. Sign - "Smoking is prohibited except in designated areas"			
25. Sign - "No loitering is allowed"			

TOBACCO RETAIL TERMINOLOGY

Characterizing flavor means a taste or aroma, other than the taste or aroma of tobacco, imparted either prior to or during consumption of a tobacco product or any byproduct produced by the tobacco product, including, but not limited to, tastes or aromas relating to menthol, mint, wintergreen, fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, herb, or spice. Characterizing flavor includes flavor in any form, mixed with or otherwise added to any tobacco product or nicotine delivery device, including electronic smoking devices.

Cigarette is any roll of tobacco wrapped in paper or in any substance not containing tobacco, or any roll of tobacco wrapped in any substance containing tobacco which is likely to be offered to, or purchased as a cigarette, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling.

Component means any item intended or reasonably expected to be used with or for the human consumption of a tobacco product.

Electronic Smoking Device means an electronic device, including but not limited to an electronic cigarette, electronic cigar or cigarillo, electronic pipe, electronic hookah, vaping device, or any other product name or descriptor, which can be used to deliver an inhaled dose of nicotine or other substances, including any component, part, or accessory of such a device, whether manufactured, distributed, marketed, or sold as such.

Flavored Tobacco Product means any tobacco product, as defined in this Chapter, which imparts a characterizing flavor.

Little Cigar means any roll of tobacco other than a cigarette wrapped entirely or in part in tobacco or any substance containing tobacco and weighing no more than three pounds per thousand units. "Little Cigar" includes, but is not limited to, tobacco products known or labeled as small cigar or cigarillo.

Loitering means delaying or lingering without an apparently proper purpose for being on the property.

Package or **Packaging** means a pack, box, carton, or container of any kind or, if no other container, any wrapping (including cellophane) in which a tobacco product is sold or offered for sale.

Part means a piece or segment of something, which combined with other pieces makes up the whole.

Pharmacy means any retail establishment, including any location with an on-site pharmacy, in which the profession of pharmacy is practiced by a pharmacist licensed by the State of California in accordance with the Business and Professions Code and where prescription pharmaceuticals are offered for sale, regardless of whether the retail establishment sells other retail goods in addition to prescription pharmaceuticals.

Proprietor means a person with an ownership interest in a business. An ownership interest shall be deemed to exist when a person has a ten percent or greater interest in the stock, assets, or income of a business other than the sole interest of security for debt.

Self-service Display means the open display or storage of tobacco products or tobacco paraphernalia in a manner that is physically accessible in any way to the general public without the assistance of the retailer or employee of the retailer and a direct person-to-person transfer between the purchaser and the retailer or employee of the retailer. A vending machine is a form of self-service display.

Smokers' lounge means the following:

(A) "Private smokers' lounge" means any enclosed area in or attached to a retail or wholesale tobacco shop that is dedicated to the use of tobacco products, including, but not limited to, cigars and pipes.

(B) "Retail or wholesale tobacco shop" means any business establishment, the main purpose of which is the sale of tobacco products, including, but not limited to, cigars, pipe tobacco, and smoking accessories.

Tobacco Paraphernalia means cigarette papers or wrappers, pipes, holders of smoking materials of all types, cigarette rolling machines, characterizing flavors in any form, mixed with or otherwise added to any tobacco product or nicotine delivery device, including electronic smoking devices, and any other item designed or used for the smoking or ingestion of tobacco products.

Tobacco Product means the following:

1. Any product containing, made, or derived from tobacco or nicotine whether natural or synthetic, that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, and snuff; or
2. Any electronic smoking device that delivers nicotine or other substances, whether natural or synthetic, to the person inhaling from the device, including, but not limited to, an electronic cigarette, electronic cigar, electronic pipe, electronic hookah, or vaping device.
3. Notwithstanding any provision of subsections (1) and (2) to the contrary, "tobacco product" includes any component, part, or accessory intended or reasonably expected to be used with a tobacco product, whether or not sold separately
4. "Tobacco Product" does not include drugs, devices, or combination products authorized for sale by the United States Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

Tobacco Retailer means any person who sells, offers for sale or distribution, exchanges, or offers to exchange for any form of consideration, tobacco, tobacco products, or tobacco paraphernalia without regard to the quantity sold, distributed, exchanged, or offered for exchange.

Tobacco Retailing means selling, offering for sale, exchanging, or offering to exchange for any form of consideration, tobacco, tobacco products, or tobacco paraphernalia without regard to the quantity sold, offered for sale, exchanged, or offered for exchange.

Tobacco Shop is any retail business devoted exclusively or predominantly to the sale of tobacco, tobacco products, and tobacco paraphernalia, including but not limited to cigarettes, cigars, pipe tobacco, electronic cigarettes, vaping devices, and any components, parts, or accessories.