

# TOBACCO ENFORCEMENT PROGRAM



## Officer Checklist

### SCHEDULE \_

- 1. **Issue a press release** indicating your agency is partnering with the Iowa Alcoholic Beverages Division to conduct compliance checks. A suggested press release is included in this handbook and can be downloaded at [www.iowaABD.com](http://www.iowaABD.com).
  - ▶ Please do not provide retailers with advance notification of compliance checks.
- 2. **Visit your city clerk or county auditor** to obtain a current list of licensed tobacco retailers in your area, and a copy of the permit application for each tobacco retailer.
- 3. **Complete and submit “1st round” compliance checks by \_\_\_\_\_.**
  - ▶ Use only Fiscal Year 2008 Tobacco Enforcement Program forms included in this handbook, or download current forms at [www.iowaABD.com](http://www.iowaABD.com).
  - ▶ If you encounter a retailer on your city clerk’s or county auditor’s list, and not on the Iowa Alcoholic Beverages Division’s online list, call or e-mail your area investigator for further instruction.
- 4. **Immediately issue a criminal citation** to non-compliant clerks. Your agency should notify the city or county attorney within 72 hours for civil proceedings. Your agency should also notify the business owner or manager of the tobacco violation within seven (7) days.
- 5. **Unable to complete** a compliance check?
  - ▶ **Establishment is closed:** Compliance checks must be conducted at establishments during regular business hours (when the business is open).
  - ▶ **Establishment is out of business:** Submit the compliance check as “out of business.”
  - ▶ **Establishment no longer holds a valid permit:** Submit the compliance check as “no longer holds a valid tobacco permit.”
  - ▶ **Youth is denied entry:** Submit the compliance check as “compliant.” These establishments are typically “members only” or the youth is stopped at the door due to age.
  - ▶ **Establishment is unsafe or inappropriate:** Establishments that are unsafe or inappropriate for a minor to enter can be considered an “unsatisfactory condition.” However, to formally designate the establishment as an “unsatisfactory condition,” the officer in charge must contact their area investigator prior to conducting the compliance check for confirmation. The officer in charge must conduct a “walk through” of the premises to ensure the establishment is in compliance with Iowa’s tobacco laws.

**NOTE:** Payment will not be made for “out of business, business closed” or “no longer holds a valid tobacco permit” compliance checks.
- 6. **Complete and submit “2nd round” compliance checks by \_\_\_\_\_.** These compliance checks include the following:
  - ▶ **Follow-up check(s) for “1st round” violators.**
  - ▶ **Federal “Synar” check(s)** - Your area investigator will notify you if your agency has the opportunity to complete these checks.

### AREA INVESTIGATOR CONTACT INFORMATION

Investigator Steve Brown	515.314.3655	Brown@iowaABD.com
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