

2016 Wisconsin Wins Tobacco & Nicotine Compliance Report

CITY OF MADISON

The Wisconsin Wins program is an evidence-based tobacco control program funded by the Wisconsin Department of Health Services and gives the Tobacco Free Columbia-Dane County Coalition the authority to conduct unannounced tobacco and nicotine compliance checks at retailers selling these products. During compliance checks, an underage person will attempt to purchase tobacco and/or nicotine products from the retailer, even if the business is intended for only adults (e.g. liquor stores, bars, tobacco shops).

In 2016, 192 compliance checks were conducted within the City of Madison for the sales of tobacco and nicotine products to minors. An additional six retailers weren't investigated due to the establishment not being open or that it no longer sells tobacco.

The inspections investigated resulted in 36 sales of tobacco or nicotine products to youth for a compliance rate of 81% or a 19% sales rate (Table 1). Inspections are stratified by vendor type below.

Table 1

Vendor Type	Number of Inspections	Number of Sales	Sales Rate (%)	Compliance Rate (%)
Gas/Convenience	96	15	16	84
Liquor	29	5	17	83
Grocery	20	6	30	70
Pharmacy	18	3	17	83
Department Store	5	1	20	80
Bar/Restaurant	7	0	0	100
Tobacco Shop	11	5	45	55
Vape Shop	6	1	17	83
Total	192	36	19	81

STATE STATUTES 134.66 & 254.92

Prohibits the sale of tobacco and nicotine products, such as e-cigarettes and e-juice, to anyone under the age of 18. Retailers who sell to minors in Dane County can receive fines up to \$500. Both the retailer and the clerks who make the illegal sales are subject to citation fines.

Under the same statutes, it is **REQUIRED** that everyone who sells tobacco completes a state-approved tobacco training and has proof of completion on file at the business. Free training is available at www.SmokeCheck.org. This simple web training tool makes meeting the state's training requirement easy.



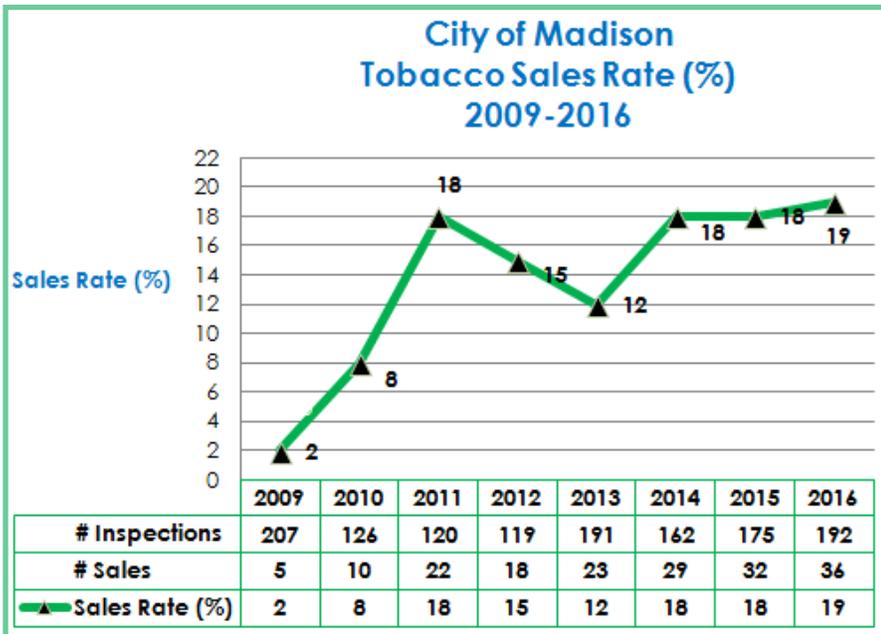
HISTORICAL TRENDS AND CONCERNS

Although the sales rate for the City of Madison increased by only one percentage point in 2016, it is the highest sales rate Madison has experienced since 2006, when the sales rate hovered around 20% (see Figure 1). Of the 192 completed compliance checks, youth inspectors were able to purchase tobacco or nicotine products 36 times. The high sales rate is worrisome because Madison youth could potentially succumb to a lifelong addiction to nicotine. In fact, the Campaign for Tobacco Free Kids estimates about 2,900 kids under the age of 18 in Wisconsin become new daily smokers every year. Additionally, nicotine addiction costs Dane County an estimated \$290 million each year!

PURCHASING OF E-JUICE

E-juice is concentrated liquid nicotine that is placed into refillable e-cigarettes. It is illegal to sell e-juice to those under the age of 18. In 2016, our youth inspectors attempted to purchase e-juice on 10 separate occasions from vape-specific stores and tobacco shops. Of the 10 attempts, youth were able to purchase e-juice five of those times, or, in other words, half of the time. All five inspections an ID was asked for and checked. One of those inspections the clerk commented that the youth were underage, yet sold anyways. Additionally, two establishments accounted for 4 of the sales. It is important to note that retailers do not need a license to sell these e-cigarettes or e-juice; therefore, consequences for subsequent violations can result in fines, but no license suspension or revocation like with tobacco.

Figure 1



TREND: MAJORITY OF IDs ARE CHECKED

During many of the inspections that resulted in a sale in 2016, our youth inspectors' IDs were asked for and checked by retail clerks. We saw similar outcomes in 2015. Of the 36 inspections that resulted in a sale, 28 of those inspections an ID was asked for, and subsequently checked, by the clerk working.

Again, this reveals that clerks are going through the motions of checking an ID, but not paying attention to the actual date of birth.

**It should be noted that our youth inspectors use their actual IDs*

LOOKING TO THE FUTURE

TFDC will continue to educate retail owners and clerks about the importance of eliminating youth access to tobacco and nicotine products. TFDC will also work closely with local leaders to ensure these policies are being enforced and prioritized.

The majority of tobacco and nicotine retailers in the City of Madison should be congratulated for consistently checking identification and refusing to sell to minors.