

# 2019 Wisconsin Wins Tobacco & Nicotine Compliance Report

## Dane County (excluding 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 2019, 107 compliance checks were conducted in Dane County (excluding Madison) for the sales of tobacco and nicotine products to minors. The inspections resulted in 13 sales of tobacco/nicotine products to youth for a compliance rate of 88% or an 12% sales rate. Inspections are stratified for vendor type below. An additional 21 retailers weren't investigated due to the establishment not being open or that it no longer sells tobacco.

### 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 Madison 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.

Vendor Type	Number of Inspections	Number of Sales	Sales Rate (%)	Compliance Rate (%)
Gas/Convenience	52	5	10	90
Liquor	15	2	13	87
Grocery	17	6	35	65
Pharmacy	11	0	0	100
Department Store	5	0	0	100
Bar/Restaurant	2	0	0	100
Tobacco/Vape Shop	5	0	0	100
Campground/Resort	0	0	0	100
Golf/Country Club	0	0	0	100
<b>Total</b>	<b>107</b>	<b>13</b>	<b>12</b>	<b>88</b>

# FEDERAL TOBACCO 21 LAW

## KEY FACTS ABOUT TOBACCO 21

On December 20th, 2019, the new Federal law raised the legal age to purchase tobacco from 18 to 21. The Federal Tobacco 21 law makes 21 the new legal age for purchasing tobacco products in the United States. This means that tobacco retailers in Wisconsin and other states cannot sell tobacco products (including e-cigarettes) to individuals under the age of 21.

# HISTORICAL TRENDS AND CONCERNS

## HISTORICAL TRENDS

In 2019 there was a sales rate of 12% in Dane County (excluding Madison) an increase of 8% in sales rates compared to an all time low rate of 4% in 2017 and 2018. Although there was an 88% compliance rate in 2019 among tobacco/nicotine retailers in Dane County (excluding Madison) there is still work to be done to reduce youth access to tobacco.

## RETAIL CLERKS

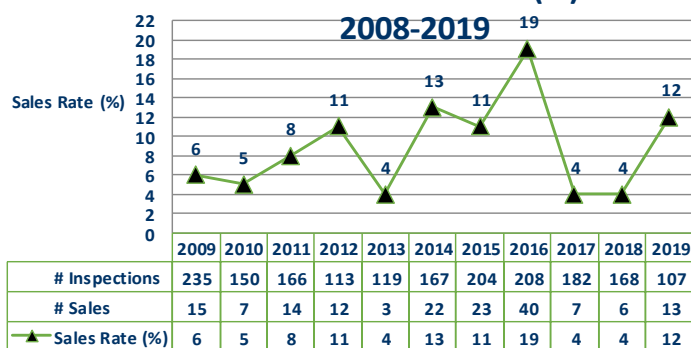
Retail clerks are considered the first line of defense when it comes to youth access to tobacco products and should be asking to see an ID and checking it correctly. In grocery stores, a common theme emerged: clerks who sold were often youth selling to other youth. With Tobacco 21 law being enforced at the federal and state level it is important that retail clerks are being trained properly on how to check an ID to reduce the sale of tobacco among youth.

## ASK FOR ID

In 2019, 10 out of the 13 retailers that sold to minors under the age of 18 checked IDs and still proceeded to sell. Among the sales where IDs were checked gas stations and grocery stores made up the majority of sales in Dane County. In other occasions where retailers sold to minors under the age of 18 three retailers did not ask for an ID.

It is important to check ID's to verify and ensure purchaser is of legal age. This means retailers should check date of birth and calculate age to ensure that the individual is of legal age. If a store or retail clerk does not check ID will increase youth access to tobacco negatively affecting youth health that will result in life-long addiction .

**Dane County (excluding Madison)  
Tobacco Sales Rate (%)**



## FREE RETAILER TRAINING

Tobacco retail owners and clerks can take the free retailer training by going to:

<https://witobaccocheck.org>

Ten minutes is all it takes to complete the state-approved training and learn how to avoid underage tobacco sales.