

2019 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 2019, 125 compliance checks were conducted in the City of Madison for the sales of tobacco and nicotine products to minors. The inspections resulted in 19 sales of tobacco/nicotine products to youth for a compliance rate of 85% or an 15% sales rate. Inspections are stratified for vendor type below. An additional 17 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. Free training is available at www.WITobaccoCheck.org. This simple web training tool makes meeting the state's training requirement easy.

Vendor Type	Number of Inspections	Number of Sales	Sales Rate (%)	Compliance Rate (%)
Gas/ Convenience	61	12	19	81
Liquor	17	2	11	89
Grocery	15	1	06	94
Pharmacy	11	2	18	82
Department Store	3	1	33	67
Bar/ Restaurant	12	1	08	92
Tobacco/ Vape Shop	6	0	0	100
Total	125	19	15%	85 %

FEDERAL TOBACCO 21

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

In 2018 the city of Madison had one of the lowest sales rate in over a decade with only 1 sale in 123 inspections. In 2019 the sales rate went up from 1 % to a 15 % sales rate in the city of Madison. The city of Madison has not had a 15 percent sales rate since 2012. This is alarming as it brings attention to the need for reducing youth access to tobacco and the importance of revisiting and strengthening retail and clerk training to ensure that clerks are trained on how to check an ID correctly.

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. State and federal law now require that retail clerks check identification to ensure that purchaser are 21 or older in order to legally purchase tobacco in Wisconsin and in the U.S.

ID CHECKS

In 2019 14 out of the 19 sales IDs were checked for and retail clerks still proceed to sale tobacco to youth inspectors who are underage. The remaining five out of the 19 occurred when an ID was not asked for or checked by the retail clerk. Furthermore, it is important to note that in 2019 12 out of the 19 sales were flavored tobacco products. Among these products were flavored cigars and cigarillos. This is important to note because the tobacco industry shows a clear pattern of designing flavored tobacco products to target youth.

LOOKING TO THE FUTURE

2019 was a year of change and adapting to Tobacco 21 and what that meant for stores owners, WI Wins, and retail clerks. Moving forward our efforts in Madison will focus on strengthening community outreach and engagement to bring awareness to the prevalence of tobacco use among youth and reduce youth access to tobacco. Furthermore, WI Wins will focus on improving retail clerk training that will be accessible in other languages to address language barriers and health inequities working side by side with communities who are most impacted by the tobacco industry.

City of Madison
Tobacco Sales Rate (%)

2008-2019

