



Tobacco 21 Ordinance Retail Employee Notification Instructions

Notification to Employees and Agents

Effective October 1, 2018, Ordinance 2018-01-11-0001 ("Tobacco 21 ordinance"), codified in Section 36-5 of the San Antonio City Code, increased the age for sale of tobacco products to 21 years of age and established penalties for violations.

"Tobacco products" means any product that is made from or derived from tobacco, and is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, snus, or an electronic smoking device or liquids used in electronic smoking devices.

General Information

Under the San Antonio ordinance, tobacco product retailers are responsible for the training and supervision of employees involved in the retail sale of tobacco products.

Who May Use This Form – Tobacco products retailers may use this form to document their compliance with Ordinance 2018-01-11-0001 which requires retailers to notify their employees and agents of the City Ordinance regarding the retail sale of tobacco products.

When to Use This Form – Photocopy and use this form to provide the required notification to each employee within 72 hours of when the employee begins selling tobacco products. The retail employee must sign the form as proof that the notice was given.

Record Keeping Requirements – Retailers are required to retain the signed employee notification form at the retail location to which the employee is assigned for the duration of employment and for 60 days after the individual leaves employment. Retailers must present these forms to a person authorized to enforce the City ordinance on demand. Failure to produce proof of the required notice is a Class C misdemeanor. It is a defense to prosecution to show proof that the employee did complete, sign, and date the forms required by the Ordinance.

Violations – A violation of Ordinance 2018-01-11-0001 is a Class C misdemeanor crime, and upon conviction, shall be punishable as set out below:

- A violation of subsections 36-5 (b) or (f) of the City Code shall be punishable by a fine of not more than two thousand dollars (\$2,000.00).
- A violation of subsections 36-5 (c), (d) or (e) of the City Code shall be punishable by a fine not more than five hundred dollars (\$500.00).

A copy of the Tobacco 21 ordinance can be found at www.sanantonio.gov/tobacco21

For Assistance

If you have any questions regarding this form or compliance with the Tobacco 21 ordinance, contact the San Antonio Metropolitan Health District at samhd@sanantonio.gov.

Questions and Answers regarding the Tobacco 21 ordinance can be accessed at www.sanantonio.gov/tobacco21

To report violations of the Tobacco 21 ordinance, please call the City of San Antonio's 311 phone line.

Tobacco 21 Ordinance-Tobacco Products Retail Employee Notification – Acknowledgement Form



CITY OF SAN ANTONIO
METROPOLITAN HEALTH DISTRICT

Completed notification forms must be kept at the retail location.

RETAILER INFORMATION	Retailer Name: _____ _____ Location: Street Address _____ City _____ State _____ ZIP Code _____ Notice and explanation given by: _____ Supervisor Name _____ Title _____ Date ____/____/____
PROVISIONS OF THE LAW	<p>Notification to Employees and Agents</p> <p>Each retailer shall notify each individual employed by that retailer who is to be engaged in retail sales of cigarettes, e-cigarettes, or tobacco products that the City Code:</p> <ol style="list-style-type: none"> 1. Prohibits the sale or distribution of cigarettes, e-cigarettes, or tobacco products to any person who is younger than 21 years of age; and 2. Requires each person who sells cigarettes, e-cigarettes, or tobacco products at retail or by vending machine to post a warning notice in a location that is conspicuous to all employees and customers and that is close to the place at which the cigarettes, e-cigarettes, or tobacco products may be purchased. The sign must include the statement: THE SALE OR PROVISION OF E-CIGARETTES OR TOBACCO PRODUCTS TO A PERSON UNDER 21 YEARS OF AGE IS PROHIBITED BY LAW WITHIN THE CITY OF SAN ANTONIO. The Director of Health shall determine the size and design of the sign and on request shall provide the sign without charge to any person who sells cigarettes, e-cigarettes, or tobacco products. Each employee shall ensure that the appropriate sign is always properly displayed while that employee is exercising the employee’s duties.
EMPLOYEE INFORMATION	_____ Employee First Name _____ Last Name _____ Social Security Number _____ _____ Street Address _____ City _____ State _____ ZIP Code _____ ____/____/____ Employment date _____ Last date of employment _____
EMPLOYEE STATEMENT	<p>I, _____, have been notified of the provisions of tobacco products law as required under the City Code. By signing this form, I acknowledge that the law has been fully explained to me and that I understand and agree to comply with the law as a condition of employment.</p> <p>Employee Signature: _____ Date: ____/____/____</p>