

ACT No. 188 Retailer FAQ's

What is Louisiana ACT No. 188?

- Louisiana ACT No. 188 amends the language on the signage that tobacco retailers are current required to display at the point of purchase in both retail outlets and on vending machines per R.S. 14:91.8.
- The full text of ACT No. 188 can be found here:
<https://legiscan.com/LA/text/HB188/2018>

What is R.S. 14:91.8?

- Louisiana Revised Statute 14:91.8 is known as the "Prevention of Youth Access to Tobacco Law." This law sets the minimum legal sales age of tobacco products and also defines what signage is required to be posted at the point of purchase for all places that sell tobacco products.

What tobacco point of purchase signage was previously required by R.S. 14:91.8?

- The law previously required signage to contain the following language in at least 30-point type in retail outlets and 22-point type on vending machines:
"LOUISIANA LAW PROHIBITS THE SALE OF TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR VAPOR PRODUCTS TO PERSONS UNDER AGE 18."

What change has ACT No. 188 made to the required tobacco point of purchase signage?

- During the 2018 legislative session, ACT No. 188 amended R.S. 14:91.8 to add the following language to section C (which defines the required signage for tobacco retailers) and section D (which defines the required signage for tobacco vending machines):
"The sign shall also include a notice that displays the telephone number for the Louisiana Tobacco Quitline (1- 800-QUIT-NOW) and the website for the Louisiana Tobacco Quitline (www.quitwithusla.org), as determined by the state department of health."
- The Louisiana Department of Health has determined that the language to be added must read:
"For assistance in quitting smoking call: 1-800-QUIT-NOW (1-800-784-8669) or visit www.quitwithusla.org."

When will the change to the required tobacco point of purchase signage go into effect?

- The change will go into effect **November 1, 2018**. After this date, tobacco point of purchase signage that does not include the new required language regarding the Louisiana Tobacco Quitline will be non-compliant.



Where can I access compliant tobacco signage for my business or vending machines?

- Visit <http://www.quitwithusla.org/pages/detail/131/Tobacco-Retailers> to download print ready signage in multiple size options that are all compliant!
- All signage can be printed on a personal printer on regular paper or brought to a local print shop for additional print options (printing on card stock, lamination, poster size printing, etc.).

Does “We Card” signage meet the current requirements of R.S. 14:91.8?

- No, We Card signage does NOT meet the requirements of R.S. 14:91.8. If your retail outlet or vending machine only posts We Card signage and not the signage required by Louisiana law, it will be found in compliance.

Where in my establishment should I post the required tobacco point of purchase signage?

- R.S. 14:91.8 requires retailers post the new required signage at the “point of purchase.” Point of purchase is defined as the area where customers “checkout” or where the retail transaction is completed.
- In order to be in compliance with Louisiana law, signage must be posted in a location (or multiple locations) where patrons are easily able to see and read the text while at the point of purchase.

How will this new requirement be enforced?

- The Louisiana Office of Alcohol and Tobacco Control (ATC) will be the enforcing agency.
- ATC will enforce by conducting regular checks using uniformed ATC agents, plain clothes ATC agents, and ATC operatives in plain clothes.

What will result if my establishment fails to comply with the new requirement?

- ATC will enforce by conducting regular checks using uniformed ATC agents, plain clothes ATC agents, and ATC operatives in plain clothes.

What is the Louisiana Tobacco Quitline?

- The Louisiana Tobacco Quitline, 1-800-QUIT-NOW, is a 24-hour a day, confidential, free tobacco cessation helpline for Louisiana residents. The Quitline links people who want to quit using tobacco with trained tobacco cessation specialists, Quit Coaches, who work with each caller to create an individualized plan to quit. Quit plans include counseling sessions, a quit kit, and information about addition cessation resources in your community!
- For more information on the Louisiana Tobacco Quitline, please visit <http://www.quitwithusla.org/pages/detail/54/1-800-QUIT-NOW> or call 1-800-QUIT-NOW.





What is www.Quitwithusla.org?

- The website, www.quitwithusla.org, is Louisiana’s official website for tobacco cessation resources. It includes a wealth of resources for those wanting to quit, including online enrollment into the Quitline, as well as for healthcare providers.

Why are retailers now being required to post the Quitline phone number and website information?

- Smoking is the leading cause of preventable death in our country, killing 443,000 Americans and 6,500 Louisianans each year. For every person who dies from tobacco use, another 20 suffer from one or more serious smoking-related illnesses. Breathing in secondhand smoke is also harmful. In Louisiana, approximately 1,000 children and adults die each year due to secondhand smoke exposure.
- Posting a Quitline number (1-800-QUIT-NOW) at the point of purchase is an inexpensive and visible way to share information about cessation services. Requiring the posting of the Quitline phone number and website information in retail stores is a recommended tobacco control strategy that has evidence of effectiveness.
- Promotion of the Quitline in all tobacco retail outlets and on tobacco vending machines can also increase awareness of and access to cessation resources for communities and populations in hard to reach areas of our state.

Who should I contact for additional Technical Assistance?

- If you have any questions, please contact ATC at (225) 925-4041.

