

Los Angeles County Tobacco Retail License Frequently Asked Questions

Am I a tobacco retailer?

A "Tobacco retailer" means any person who sells, offers for sale or distribution, exchanges, or offers to exchange for any form of consideration, tobacco, tobacco products, or tobacco paraphernalia without regard to the quantity sold, distributed, exchanged, or offered for exchange. If any part of this definition applies to your business, then you are required to obtain a Los Angeles County tobacco retail license.

I already have a state tobacco license issued by the California Board of Equalization. Why do I need a tobacco license from the County?

The tobacco license issued by the California Board of Equalization is meant to curb tobacco tax fraud and the counterfeiting of tobacco products. That license does not preempt local jurisdiction from adopting local tobacco licenses. The Los Angeles County Board of Supervisors adopted this ordinance on December 18, 2007 to encourage responsible tobacco retailing and to discourage violations of federal, state and local tobacco-related laws, especially those that *prohibit the sale or distribution of tobacco products to minors*.

To legally sell tobacco products in the unincorporated areas of the County you will need a valid state tobacco license and a County tobacco license.

What does the County's tobacco license require?

The license requires that tobacco retailers comply with federal, state and local tobacco-related laws, including provisions of the County's tobacco license. Information about the County's tobacco license is provided in this FAQ and can also be found in Section 11.35 (Tobacco Retailing) of the Los Angeles County Code.

Educational materials are included with this packet regarding federal and state tobacco related-laws.

How much is the license?

The license fee is \$235 annually. For the 2007-2008 fiscal year, the license fee amount will be prorated for the final quarter (April –June 2008) to \$58.75.

Can I send payment for the license fee now?

No. Payment of the license fee will not be accepted until the County has approved your application. Upon receipt of your application and required documents, the Los Angeles County Treasurer and Tax Collector will mail you a bill for the tobacco retail license fee. You will have 30 days to submit payment. Delinquent payments incur a 25% penalty charge. Your license will be issued after payment is received.

Where do I send the license application and required documents?

Mail the tobacco retail license application and required documents to: Los Angeles County Department of Public Health Tobacco Control and Prevention Program, ATTN: TOBACCO RETAIL LICENSING, 3530 Wilshire Blvd, 8th Floor, Los Angeles CA, 90010

How long is the license effective?

The license is effective for one year, from July 1 to June 30th, and has to be renewed annually. Tobacco retailers will receive a bill from the Treasurer and Tax Collector in June 2008 to pay the full \$235 amount for the 2008-2009 fiscal year.

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Do I need to re-apply for the license every year?

No. If you have not changed retailing locations, you do not have to re-apply for the license. However, you must pay an annual license fee. If the retail location has moved or has changed its name since the last license was issued, you must re-apply for the license. If the retail business has been sold, the new owner must apply for a new license.

Can I sell tobacco from a mobile location such as a truck or car?

No license may be issued to authorize tobacco retailing at other than a fixed location. Itinerant tobacco retailing is prohibited.

What do I do if I have multiple tobacco retailing locations?

Each location that sells tobacco, tobacco products, and/or tobacco paraphernalia must have its own license. Each location must pay the license fee of \$235 annually.

Will there be inspections?

Yes. Environmental Health Inspectors will conduct regular site inspections of retailers for compliance with local, state and federal tobacco retail laws. The Sheriff's Department will conduct random undercover youth decoy operations to check compliance with laws prohibiting the sale of tobacco products to minors.

What will happen if I am cited for a license violation during an inspection?

Violations of the license are subject to monetary fines, suspension and/or revocation of the license, depending on the type of violation and number of past violations.

Can I appeal a violation?

Yes. Retailers must submit a request in writing for an administrative hearing to review the violation. The request must be submitted and filed with the County within ten (10) calendar days following the notification of the violation.

Who do I contact if I have additional questions?

Retailers can contact the Tobacco Control and Prevention Program at 213-351-7317 or visit www.lapublichealth.org/tob for further information.