



Date: May 1, 2019
To: All Contra Costa Tobacco and Electronic Cigarette Retailers in the Unincorporated Areas
From: Dan Peddycord, RN, MPA/HA, Public Health Director
Subject: New Tobacco Retailer's License Requirements

As a reminder, all retailers selling tobacco products, including electronic smoking devices such as electronic cigarettes, vapor pens, e-hookah and refill cartridges, in the unincorporated areas of Contra Costa County must obtain a County Tobacco Retailer's License each year when they apply for or renew their Contra Costa County business license. The County tobacco retailer's license for July 1, 2019 through June 30, 2020 is distributed by the Tax Collector's Office and costs \$287.00 annually. Each retail location in Unincorporated Contra Costa must have its own County tobacco retailer's license.

If you sell tobacco products from a fixed location, you must check off the box on the Business License Renewal Application to indicate that you wish to sell tobacco products at this location and include the \$287.00 tobacco license fee with your business license renewal fee.

Please note the following:

- Distributors of tobacco products do not need to obtain a tobacco retailer's license.
- Businesses that sell tobacco products from vehicles or on foot are not eligible for a tobacco retailer's license and cannot sell tobacco products, including electronic cigarettes, in the unincorporated areas of the County.
- County Ordinance Chapter 445-6 prohibits tobacco vending machines. Businesses that operate vending machines must remove their vending machines. They can sell tobacco products only by means of employee assistance.

If a retailer sells tobacco products in Unincorporated Contra Costa without a valid or current license, then the retailer can be cited and/or fined. If a Contra Costa tobacco retailer violates any federal, state, or local tobacco control law, their license may be suspended.

Tobacco Control Laws that effect unincorporated areas of Contra Costa include, but are not limited to:

- **Recently revised County Ordinance Code Chapter 445 (Secondhand Smoke and Tobacco Products Ordinance)**
 - No sale of flavored tobacco products within 1000 feet of a school, park, playground, or library
 - No sale of cigars in a package of fewer than 10 cigars. Cigars priced at \$5 or more per cigar, including taxes and fees, are exempt
 - No sale of any tobacco products at a business that has a pharmacy
 - Number of County tobacco retailer licenses capped at 90. *Timely renewal of County tobacco retailer licenses before July 1, 2019 is important to avoid any issues with maintaining the license*
- PC308(a) and STAKE Act (sales of any tobacco product to minors under 21)

In addition to the County license, tobacco retailers are also required to possess a license from the California Department of Fee and Tax Administration. Failure to obtain and maintain this license can result in a fine of \$5,000, or up to one year imprisonment in the county jail, or both the fine and imprisonment (Business and Professions Code sections 22972 (a), 22980.1 (h) and 22981). You may register or renew your registration online by going to <https://www.cdtfa.ca.gov/services/#Register-Renewals>

For any questions, please visit our website at <http://cchealth.org/tobacco/retailers.php> or call the Tobacco Prevention Project of the Public Health Division at 925-313-6216. Thank you for your efforts in reducing tobacco access to youth and upholding all tobacco laws.

