

# Wisconsin Wins Tobacco & Nicotine Compliance Report - Portage County, WI

The Wisconsin Wins program is a science-based, state-level initiative designed to decrease youth access to tobacco products. The Wisconsin Wins program uses an effective mix of education, positive reinforcement and oversight to keep tobacco products out of the hands of youth. This is completed by:

- Conducting unannounced inspections at local tobacco retail outlets to track retailer compliance with Wisconsin's tobacco sales laws.
- Providing free training and educational resources that help retailers understand and comply with the law.
- Engaging in community outreach and education to communicate the importance of preventing youth access to tobacco.

## STATE STATUTES 134.66 & 254.916

State statute 134.66 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 can receive fines up to \$500. Both the retailer and the clerks who make the illegal sales are subject to citation fines. State statute 254.916 allows a governmental regulatory authority to conduct unannounced investigations at retail outlets, including tobacco vending machine premises, to enforce compliance with 134.66.

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](http://www.WITobaccoCheck.org). This simple web training tool makes meeting the state's training requirement easy and convenient for retailers.

**In 2018, sales to minors decreased.** Only four retailers sold tobacco to minors, a sales rate of 8.7%. In 2017, eight retailers sold tobacco to minors, a sales rate of 18.2%.

Vendor Type	Number of Inspections	Number of Sales	Sales Rate (%)	Compliance Rate (%)
Gas/Convenience	30	4	13.3	86.7
Liquor	3	0	0	100
Grocery	8	0	0	100
Pharmacy	2	0	0	100
Tobacco/Vape Shop	1	0	0	100
Other	2	0	0	100
<b>Total:</b>	46	4	8.7	91.3



PORTAGE COUNTY  
HEALTH AND HUMAN SERVICES  
Division of Public Health

# Historical Trends and Other Details

## The Inspectors

In 2018, our inspectors were both 17 (born in late 2000). Regardless of whether or not they were the one purchasing the tobacco product, both youth inspectors would enter the establishment. One would attempt to purchase a tobacco product while the other would observe. In all sales that were completed, the only product that was sold was White Owl cigarillos.

## The Compliance Checks

This year we found that each retailer who sold the product did check the youth I.D.'s. Even with checking the I.D. and seeing when the youth turned 18, the sale was still completed. Our team believes this is due to the clerk only looking at the year, and not the actual month or day of birth. Since they were both born in 2000 and turn 18 this year, it is assumed that most clerks just did the math based off the year and completed the sale.

The youth inspectors always used their real I.D.'s and were honest when asked about their date of birth. When conducting compliance checks, no deception is involved.

## Next Steps

Portage County will conduct compliance checks again in 2019 with new youth inspectors. Elizabeth Beck, the Wisconsin Wins Coordinator, will inform retailers of free trainings and will work to educate the public on this important health issue in our community.

## Sales Rates from 2013-2018

