

NEW BEDFORD BOARD OF HEALTH
TOBACCO PRODUCTS AND ELECTRONIC NICOTINE DELIVERY SYSTEMS SALES PERMIT
ANNUAL ACKNOWLEDGMENT & CHECKLIST FORM

This form must be completed, initialed, and signed by the owner/authorized signatory of the establishment applying for a New Bedford Board of Health Tobacco Products and Electronic Nicotine Delivery Systems Sales Permit. No permit will be issued until this checklist has been initialed, signed and submitted with your completed permit application.

☐ I have read and understand all subsections within the New Bedford Board of Health Tobacco Control Regulation “Restricting the Sale of Tobacco Products and Electronic Nicotine Delivery Systems.”

Initials _____

☐ I understand that it is against the law to sell **ANY** tobacco product or electronic nicotine delivery systems to anyone less than twenty-one (21) years of age, regardless of how old the person looks. The distribution of free samples is prohibited, and no coupon should be offered or redeemed that would provide any tobacco product or electronic nicotine delivery system without charge or for less than the listed or non-discounted price.

Initials _____

☐ I understand that the Regulation requires anyone selling tobacco products or electronic nicotine delivery systems to conclusively establish the customer’s age. This means the clerk must ask for and observe a form of government-issued photographic identification for any customer who is attempting to purchase a tobacco product or electronic nicotine delivery system. This identification serves as proof that the person is at least twenty-one (21) years of age prior to the sale.

Initials _____

☐ I understand that agents of the Board of Health will conduct compliance checks of all retail establishments to ensure that tobacco products and electronic nicotine delivery systems are not being sold to minors. This means:

- a. Agents of the Board will send minors into my establishment periodically to attempt the purchase of these products.
- b. These minors will not possess any identification and will respond truthfully when asked their age.
- c. Any reported confrontational behavior towards the minor or the enforcement agent during or after the compliance check may result in a permanent revocation of the permit.

Initials _____

☐ I understand that if my establishment is found to be selling tobacco products or electronic nicotine delivery systems to minors, I will be subject to a fine and/or permit suspension or even revocation as set forth in the Regulation.

Initials _____

☐ I understand that the Regulation and/or Massachusetts Consumer Protection Laws prohibit self-service displays of all tobacco products and electronic nicotine delivery systems, except in Adult-Only Retail Tobacco Establishments.

Initials _____

☐ I understand that my “original” Tobacco Products and Electronic Nicotine Delivery Systems Sales Permit and a current valid Massachusetts Department of Revenue Tobacco Retailer’s License must be posted at the establishment at all times in a manner conspicuous to the public.

Initials _____

☐ I understand that the Board of Health *Employee Agreement* Form must be read and signed by each employee selling tobacco products and/or electronic nicotine delivery systems at the time of hire and at least once annually, and be kept on site at all times, in a known location by all employees and available for inspection.

Initials _____

☐ I understand that as a tobacco and/or electronic nicotine delivery systems retailer, I *must* also comply with the Board of Health regulation prohibiting smoking in Workplaces and Public Places and the Massachusetts Smoke-Free Workplace Law.

Initials _____

☐ I understand that the City of New Bedford Ordinance Section 17-19 effective November 27, 2007, prohibits the sale of blunt wrappers as a local ordinance in conjunction with MGL Ch 94C §32I as drug paraphernalia. Violators are subject to a fine of \$200 and a Board of Health hearing for possible suspension or revocation of the retailer’s permit.

Initials _____

☐ I understand that as of June 1, 2020, pursuant with MA state law 105 CMR 665, the sale of flavored combustible cigarettes and all other tobacco products, including menthol cigarettes, flavored chewing tobacco, flavored cigars/cigarillos, flavored vaping products, etc. are restricted in retail tobacco stores.

Initials _____

By signing this form, I acknowledge that I have read and understand all of the above statements, and I further understand that failure to abide by these conditions may jeopardize my Tobacco Products and Electronic Nicotine Delivery Systems Sales Permit. Please *print* clearly and *sign* name *legibly*.

Establishment Name

Establishment Address

Title

Signature