REQUIREMENTS OF THE
TOBACCO RETAIL LICENSING ORDINANCE
On December 8, 2020, the County Board of Supervisors approved the Tobacco Retail Licensing Ordinance for the unincorporated area of San Diego County.

The Ordinance establishes a County Tobacco Retail Licensing Program to monitor retailer compliance.
OVERVIEW OF THE TOBACCO RETAIL LICENSING ORDINANCE

- Tobacco retailers in the unincorporated area will be required to obtain a TRL to sell tobacco products.
- Tobacco retailers must comply with operating and tobacco product requirements.
- Retailers can submit TRL applications for County review beginning June 1, 2021.
- The County will conduct unannounced inspections of and decoy operations at tobacco retailers beginning October 2021.
- All retailers will be required to renew their TRL by July 1, 2022. At that time, an annual application fee (TBD) will also be required.
County begins to receive and process TRL applications. Neither the number of TRLs nor proximity to existing retailers will be considered when reviewing TRL applications.

June 1, 2021:
TRL Application Process Open

Tobacco retailers must be in compliance with all Ordinance requirements. This is also the date at which the Ordinance becomes enforced.

July 1, 2021:
Tobacco Retail Licensing Ordinance Operative

Unannounced inspections of and decoy operations conducted at tobacco retailers.

October 2021:
Compliance Checks Begin

Number of licenses and proximity to existing retailers begin to be considered for new TRL applications.

January 1, 2022:
Density Restrictions Begin

All TRLs, regardless of when they were issued, must be renewed and TRL application fees received by this date.

July 1, 2022:
TRL Renewal Date

5/12/2021
TRL ELIGIBILITY REQUIREMENTS

- Tobacco retailers must be licensed by California’s Department of Tax and Fee Administration (https://www.cdtfa.ca.gov/).
- Facilities with an onsite pharmacy are not eligible for a TRL.
- Persons under 21 years of age are not eligible to receive a TRL.
- TRLs can only be transferred to a parent, child, spouse, or domestic partner for tobacco retailing at the same retail location. The transferee must submit a TRL application and meet TRL eligibility requirements.
- After January 1, 2022:
  - No new retailers within 500 feet of an already licensed tobacco retailer will be eligible for a TRL.
  - No new TRL will be issued if the current number of TRLs already issued equals or exceeds 330.
To apply for a TRL, retailers must submit a TRL application with the required attachments, which include:

- A copy of the driver license(s) or governmental ID(s) for all business owners.
- A copy of the State of California Department of Tax and Fee Administration Cigarette and Tobacco Products License for the business location applying for a TRL.

The TRL application is available on the County’s Tobacco Control Resource Program webpages (www.sandiegocounty.gov/hhsa/tobacco).

Application processing will take approximately four to six weeks. The County will not carry out compliance monitoring activities at a retailer whose application is being processed.

Beginning in 2022, retailers renewing or applying for a new TRL must also submit a TRL application fee. The County Board of Supervisors is expecting to pass a fee next year.

All TRLs must be renewed and application fees paid by July 1, 2022.
Licensed tobacco retailers should:

- Follow all federal, state and local tobacco laws.
- Clearly display the TRL.
- Verify the age of any person attempting to buy tobacco products or attempting to enter a wholesale tobacco shop or private smoker’s lounge.
- Sell products only in-person and at the licensed location (no online or delivery sales).
Licensed tobacco retailers should not:

- Sell or gift a tobacco product to someone under the age of 21.
- Sell tobacco products in a self-service display, including vending machines.
- Permit an employee under 18 years of age to handle or sell tobacco products unless under the continuous supervision of a person 21 years of age or older.
- Offer samples, promotional items, or coupons.
- Accept coupons or discounts.
REQUIREMENTS FOR TOBACCO PRODUCTS

Tobacco products for sale should:

- Be in the original packaging
- Have the price clearly displayed
- Comply with the minimum package size and minimum price requirements
- Not be flavored

Loose leaf tobacco, premium cigars, and shisha for use in a hookah are exempt from this requirement.
## Minimum Package Size Requirements

- **Cigars that individually cost less than $10.00:** 6 cigars
- **Little cigars:** 20 little cigars

## Minimum Price Requirements (prices include all applicable taxes and fees)

- **Cigarettes:** $10.00 per pack of 20
- **Cigars:** Package must be at least $5.00 per cigar (*Example: A package of 6 cigars must cost at least $30.00*)
- **Little cigars:** $10.00 per pack of 20
- **Electronic smoking device:** $20.00 per device
- **Materials to be consumed in the use of an electronic smoking device (ex. e-liquids):** $10.00 per unit
- **Electronic smoking device starter kit:** $30.00 per kit