



TOBACCO RETAILER PERMIT PROGRAM FREQUENTLY ASKED QUESTIONS

1. What is the Tobacco Retailer Permit Program?

The Tobacco Retailer Permit Program's primary goal is to administer a local ordinance aimed to prevent sales of flavored tobacco and sales to youth by performing inspections of tobacco retailers who sell tobacco products in unincorporated San Mateo County areas and in participating cities.

2. I recently received a letter from your office requesting that I complete an application as a tobacco retailer. I have been in business for many years. Do I need to fill out an application?

Yes. The application is for businesses that operate under the new San Mateo County Tobacco Retailer Permit Ordinance, which went into effect in May 2023 or later, depending on when your city adopted it. Please check box as a "New Business" when filling out the application. "Opening Date" should be listed as March 1, 2024.

3. What will happen if I don't apply by the due date?

If you don't fill out the application by March 30, 2024, your business will not have a permit to sell Tobacco according to the new County Ordinance. You may be fined and unable to sell tobacco legally in San Mateo County.

4. What will happen if I do not renew my Tobacco Permit on time?

A permit that is not renewed in a timely manner shall expire at the end of its term, and the tobacco retailer must obtain a new permit prior to any further sale, offer for sale, or distribution of any tobacco product. A permit may not be issued, and/or tobacco store will be fined, or operations will be suspended by the County under the ordinance, which states that failure to obtain a tobacco retailer permit may result in fines and or suspension of operations.

5. How much is the permit fee?

\$672 annual fee. New sales application fee is waived to businesses already in operation when the county or city adopts the ordinance because the business is grandfathered in. However, if there are delays in applying for a permit with the County, the business may lose its eligibility to be grandfathered in, and may be evaluated as a new business, subject to the one-time \$249 application fee.

6. How often will Environmental Health Services inspect our facility?

Two (2) unannounced inspections per year.



7. Who is subject to the Tobacco Retailer Permit ordinance, which requires an annual permit?

Any existing tobacco retailers within the San Mateo County unincorporated area, and in participating cities.

8. What type of tobacco products are prohibited for sale?

The ordinance prohibits the sale of any flavored tobacco product or tobacco product flavor enhancer, e-cigarette products, electronic smoking or vaping equipment or accessories, or vaping liquids regardless of the ingredients or flavors. This includes hookah tobaccos.

Flavored tobacco products include but are not limited to cigarettes, cigars, pipe tobacco, chewing tobacco, snuffs, snus, hookah, shisha, flavor enhancers, e-cigarettes, e-liquids, pods, or any other vape device.

9. What is a flavored tobacco product?

Flavored tobacco products include but are not limited to cigarettes, cigars, pipe tobacco, chewing tobacco, snuffs, snus, hookah, shisha, flavor enhancers, e-cigarettes, e-liquids, pods, or any other vape device.

10. What happens if my facility was found selling flavored tobacco, e-cigarettes, e-cigarette paraphernalia or liquids during an inspection?

The tobacco retailer will be fined up to \$500 for a first violation, and up to \$1,000 for all subsequent violations within a 60-month period.

11. What happens if my facility was found selling tobacco to anyone under the age of 21?

Your permit will be suspended for up to 30 days for the first violation, 90 days for the second violation, and up to one year for the third violation.

12. Can I sell any product advertised to contain hemp or hemp THC?

It is illegal to sell products containing hemp or hemp THC (e.g., Delta-8, Delta-9), including food, **not approved** by California Department of Public Health.

For a list of Authorized Industrial Hemp Firms, please visit our website at smchealth.org/tobacco.

13. Who should I contact if I have further questions?

You can contact us by phone at (650) 372-6200 Monday-Friday, 8 a.m.-5 p.m. or email at envhealth@smcgov.org. You can also visit our website, smchealth.org/tobacco.



SAN MATEO COUNTY HEALTH

**ENVIRONMENTAL
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Environmental Health Services

Tobacco Retailer Permit Program

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smchealth.org/tobacco

14. Where can I find a copy of the new San Mateo County Ordinance Code on Tobacco Permit?

A copy of the ordinance is posted on our website, smchealth.org/tobacco or by clicking this link [Tobacco Ordinance No. 4878](#).