

# Penalties for Underage Sales of Tobacco in New York State

Selling tobacco to a minor carries severe penalties for the **retail tobacco dealer**, including:

<b>1<sup>st</sup> Violation</b>	\$300 to \$1,500 fine * Notice in local newspaper <b>2 points on store record **</b>
<b>2<sup>nd</sup> Violation and Subsequent Violations</b>	\$1,000 to \$2,500 fine * Notice in local newspaper <b>2 points on store record **</b>
<b>3 Points Accumulated Within 3 Years</b>	NYS tobacco license <b>suspended 1 year</b> NYS lottery license <b>suspended 1 year</b> Notice in local newspaper
<b>Any 4 Violations Within 3 Years*</b> <i>(regardless of points or training)</i>	NYS tobacco license revoked 1 year NYS lottery license revoked 1 year Notice in local newspaper <i>* NOTE: <u>Any 4 violations of Article 13F, including sale of cigarettes to minors, not posting required signage, out-of-package sales of cigarettes, self-service violation, and unauthorized sale of bidis</u></i>
<b>Violation While Under suspension</b>	\$2,500 fine NYS tobacco license revoked

\* **Surcharge:** A \$250.00 surcharge is added to each fine.

**\*\* Certified Training:** *If the employer can demonstrate at a hearing that the employee who illegally sold tobacco to a minor had been certified under a State Health Department-approved tobacco sales training program, one point will be assessed instead of two.*