

# News



November 2001

# Briefs

Illinois Liquor Control Commission

## Inside Issue:

Tobacco Enforcement Program  
First year a success — 1

New retail kits are available — 2

Commission sponsors law enforcement training — 2

Tobacco Enforcement Program FY 2002 — 3

Toni Berrios  
By Katrinka Lally, University of Chicago — 3

Nick Trota,  
By Katrinka Lally, University of Chicago — 3

"I didn't sell" — 4

Visit our Website:  
[www.state.il.us/lcc](http://www.state.il.us/lcc)

Contact Jeff Barr  
tel: 312.814.6884

## Tobacco Enforcement Program *First year a success*

The numbers are in for the Tobacco Enforcement Program's first year of operation and compliance rates improved by ten percent between the first and third rounds of inspections.

In March 2000, the U.S. Supreme Court ruled that the U.S. Food & Drug Administration (FDA) lacked the authority to regulate tobacco products. With this ruling, "the FDA" terminated their contract with the Commission to conduct statewide compliance checks that enforced federal minimum-age tobacco laws. Immediately, the Commission sought the help of the Illinois General Assembly to prevent an expected decline in statewide compliance rates that had steadily improved over the previous eight years. The General Assembly responded favorably by granting two appropriations. The first, to maintain the existing Commission tobacco control efforts and a second from the Tobacco Settlement Fund to establish the Tobacco Enforcement Program.

### Tobacco Enforcement Program

The Tobacco Enforcement Program has two primary objectives: 1) provide educational materials/programs and other resources on minimum-age tobacco laws to retailers, and 2) provide funding for local enforcement agencies to conduct compliance checks to enforce those laws. The goal of the program is twofold; first, reduce illegal tobacco sales to minors which in turn discourages their initiation to tobacco products, and second, achieve federally required statewide compliance rates to ensure 100% funding of the federal Substance Abuse Prevention and Treatment Block Grant.

### Retail Education

Under the Tobacco Enforcement Program, retail education is required prior to any type of enforcement activity. In most cases, the retail education component was achieved by the distribution of the Commission's retail kit to all 10,334 retailers within the jurisdictions of participating communities. In addition, many communities elected to supplement the kit by conducting the Commission's Retailer Education Class. During the program's first year, the Commission conducted 57 Retailer Education Classes to approximately 1,000 owners, managers and clerks. Class participants received materials on minimum-age tobacco laws, required signage and training on key techniques to correctly determine the age of customers making tobacco purchases.

### Enforcement

The second component of the Tobacco Enforcement Program requires that participating communities conduct three compliance checks on each retailer within their jurisdiction. First round results indicated a compliance rate of 79 percent. After the third round, compliance rates had risen by 10 percent to 89 percent.

In addition to monitoring compliance rates, the Commission also measured the frequency that clerks intervened in the tobacco purchase attempt by asking customers their age, or to provide an ID. The Commission felt that increasing the frequency of age verification occurrences

Continue on page 4



# News Briefs

## NEW RETAIL KITS ARE AVAILABLE

The Commission's new Tobacco Retail Kit is now available. The kit provides information and materials to support tobacco retailers in their effort to comply with minimum-age tobacco laws. The kit includes a review of state minimum-age tobacco laws\*, required signage\*, training guides for managers and clerks on age verification techniques\*, and various point-of-sale posters that bring a humorous tone to the issue of age verification during tobacco purchases. The Commission's Retail Kit originated from a kit that was initially designed by the U.S. Food & Drug Administration (FDA). The FDA worked with focus groups in tests markets to develop the kit and results indicated the material was effective in reducing the number of requests for tobacco made by underage minors and reduced the anxiety clerks commonly felt when asking customers for age verification. Consequently, by reducing the number of underage requests and increasing the frequency in which clerks challenge underage customers, the kit continues to support the Commission's efforts to reduce illegal underage tobacco sales.

The Manager and Clerk Training Guides are a key component to the kit which includes the "Plus 20; Minus 2" method of verifying a customer's age. Surprisingly, minors are often able to purchase tobacco products even though the ID they present clearly indicates they are underage. The reason is because clerks find it difficult to complete the mathematical computation when subtracting the year a customer was born from the current year. For example, quickly calculate  $2001 - 1984$ . You may or may not find this calculation difficult. But consider that clerks are being asked to complete this calculation not only in front of the customer, but often

times in front of other customers and co-workers. Now add the pressure of quickly moving customers through the service line, and the task becomes exceedingly more difficult and awkward. With all this in mind it is easy to see why a clerk may accept an ID even though they have not correctly determined the customer's age.

Working with a mathematician, the FDA developed the "Plus 20; Minus 2" format. Instead of trying to subtract  $2001 - 1984$  try this method: add 20 to the last two digits of the year the customer was born; and since we added two more than the legal age of 18 we must now subtract two. The resulting number reflects the year in which the customer turns 18.

For example, a customer was born on November 28, 1984. First, take 1984 and add 20 ( $1984 + 20 = 2004$ ). Then subtract 2 ( $2004 - 2 = 2002$ ) since we added two years too many. This customer turns 18 on November 28, 2002. While it may be a little cumbersome at first, we have found that with a little practice the process soon becomes easy and is definitely easier than subtracting  $2001 - 1984$ .

The point-of-purchase materials included in the retail kit are: a cashmat, window static clings, a vinyl floor poster and various signs to post throughout the customer service area. Again, the posters contain humorous characters and phrases to alert underage minors that the establishment does request age verification and to reduce the anxiety a clerk feels when verifying a customer's age. For your free kit, please contact Jeff Barr, tobacco program manager at (312) 814-6884.

\* Available in Spanish upon request.

---

## "COMMISSION SPONSORS LAW ENFORCEMENT TRAINING"

Through the Illinois Law Enforcement Training and Standards Board's network of regional training centers, the Commission sponsored training classes entitled, "Conducting Alcohol and Tobacco Compliance Checks" in ten locations throughout the state for the second consecutive year. This state certified class provides resources to law enforcement personnel to effectively develop a compliance check program of age-restrictive products in their community. The Commission elected to sponsor this class in conjunction with its Tobacco Enforcement Program, but did not limit attendance to program participants only. The classes were available to any law enforcement agency in the state.

During the first year of the Commission's Tobacco Enforcement Program, over 125 enforcement officers attended this eight-hour course held at five regional locations. In response to the positive feedback and attendance, the Commission increased the quantity of classes offered and included different regional training centers during the program's second year. Mark T. Bishop, executive director of the Commission, states, "A priority of our Tobacco Enforcement Program has been to provide the necessary resources to program participants. Not only to the state's tobacco retailers in the form of our retailer kit, but also to the state agencies we are asking to enforce minimum-age tobacco laws. We feel this class will promote consistent compliance check procedures throughout the state."

# Illinois Liquor Control Commission

## Toni Berrios

By Katrinka Lally, University of Chicago

Toni has been working for the Commission for the past year and a half as a Tobacco Compliance Specialist. She works with Cook County retailers, law enforcement agencies and youth participants of compliance checks. She regularly helps conduct retailer education seminars which teach retailers about minimum-age tobacco laws including helpful methods for checking IDs. She also facilitates youth recruitment for law enforcement agencies in their effort to conduct compliance checks.



“One simple way that retailers can ensure tobacco products are not being sold to minors is to have their employees practice the suggested method of verifying ages on IDs. The ‘Plus 20; Minus 2’ method taught by the Commission is quick and effective in real situations,” said Toni. “Checking IDs is the single most effective way to ensure that tobacco products are not sold to minors in the state of Illinois.”

When Toni is not hard at work educating retailers and facilitating compliance checks, she is working toward her economics degree from the University of Illinois at Chicago. In her free time, Toni enjoys going to the movies and spending time with her family and friends.

## Nick Trotta,

By Katrinka Lally, University of Chicago

Nick has been working for the Commission’s Tobacco Program for two years after retiring from the Chicago Police Department where he spent many years working in the Violent Crimes Division. Now as a Commission Tobacco Compliance Specialist, Nick works with various communities throughout northwestern Illinois, to severely limit if not eradicate tobacco sales to underage youths. Nick not only assists local law enforcement agencies when conducting compliance checks, but also helps meet Synar Regulations through the Commission’s State Annual Survey.



When Nick isn’t educating retailers and conducting compliance checks, he can be found at home with Antoinette, his wife of 49 years. Together they spend time with their family which includes 2 children and 4 grandchildren, or working on his handicap on the golf course.

Nick states that his goal is to, “Keep minors from smoking so they can lead longer and healthier lives. Tobacco use contributes to one fifth of the deaths in the United States every year.” When asked if he had any advice for tobacco retailers he said, “Retailers should not only ask for IDs, but then be able to effectively determine an individual’s age.”

## Tobacco Enforcement Program FY 2002

After a successful first year, the Commission begins its second year of the Tobacco Enforcement Program with 160 participating communities. Mark T. Bishop, executive director of the Commission states, “The increased level of interest for the program is encouraging. Last year, a great deal of effort went into recruiting communities to participate in order to disburse the entire \$1 million appropriation. This year, our request for grants exceeded available funds and unfortunately we were unable to fund 15 communities. I think the increase in applications we received is a reflection of improved awareness of the program and the ease and flexibility with which the program can be implemented in the community.”

The majority of the communities that participated in the Tobacco Enforcement Program in FY 2001 have returned for a second year. However, the Commission did recognize a lack of representation from the state’s rural areas in the first year. The

Commission attributed this to the way in which grant amounts were determined. During the first year, communities received \$120 per retailer. Therefore, the smaller communities with only a few retailers did not have an incentive to apply. For the second year, those communities with ten or less retailers received an automatic grant of \$1,200. By implementing this incentive, applications received from communities with less than ten retailers tripled.

Other changes made to the program include the distribution of “I didn’t sell” pins to compliant clerks, the distribution of a CD-Rom containing program resources and training guides and the inclusion of presentation slides for Retail Education and Youth Training Classes.

Funding for the program is tentatively scheduled through FY 2005. Grant applications are provided to all Mayors, Chiefs of Police, County Board Presidents and County Sheriffs in April of each year. Eligible applicants are governmental agencies with the ability to enlist law enforcement agencies to enforce either state or local minimum-age tobacco laws. For more information contact Jeff Barr, tobacco program manager at (312) 814-6884.

**George H. Ryan**  
**Governor**



PRSR, STD  
U.S. POSTAGE  
PAID  
CHICAGO, IL  
PERMIT NO.1925

**100 West Randolph**  
**Suite 5-300**  
**Chicago, IL 60601**

Don W. Adams  
**Chairman**

Leonard L. Branson  
Robert E. Hayes  
James M. Hogan  
Irving J. Koppel  
Lillibeth Lopez  
Myrna E. Pedersen  
**Commissioners**

Mark T. Bishop  
**Executive Director**

## "I didn't sell"

New to this year's Tobacco Enforcement Program is the addition of lapel pins in the shape of the "Kids Can't Buy 'Em Here" logo with the words "I didn't sell." The Commission wanted to provide enforcement agencies participating in the Tobacco Enforcement Program with a way to recognize and reward clerks who comply with the law during compliance checks. "During last year's Tobacco Enforcement Program, over 16,400 compliance checks were conducted," states Karen Faltin, ILCC industry education manager. "Eighty percent of the checks resulted in clerks refusing to sell tobacco products. We felt it was important to recognize them for a job well done."

Our initial feedback to the "I didn't sell" pin has been extremely positive. Not only do clerks enjoy being recognized for complying with the law, owners appreciate the positive approach to reinforce their efforts, and law enforcement officers enjoy rewarding individuals as well.



### **Continued from page 1**

would not only document the programs effectiveness, but also reduce illegal sales. Noting that compliance rates were less than 25 percent when age verification did not take place as opposed to compliance rates of better than 75 percent when age verification was requested supports this premise. With the conclusion of a successful first year, the Commission was excited to receive word that an appropriation had been made to continue the program into FY 2002. The Commission anticipates continued increases in statewide compliance rates due to several new enhancements to the program.