



Tobacco Retail License Application

Note: Please complete one application for each business location [ex. if multiple business locations under one ownership]

Today's Date: _____
mm/dd/yyyy

Application for:

- New Tobacco Retail License [for previously unlicensed business]
- Renewing Tobacco Retail License [for businesses currently licensed]
- Change of business ownership [TRLs are non-transferrable, new owner must apply]

Business Information:

Business Name: _____

Has the name of this business recently changed? Yes No Store Number(#): _____

Business Email: _____ Business Phone: _____

Business Website: _____ Business Fax: _____

Days & Hours of Operation: _____

Address Line 1: _____

Address Line 2: _____

City: _____ State: _____ Zip: _____

Total Annual Tobacco Sales at this retail location [approximate]:

- \$0 - \$10,000
- \$10,001 - \$25,000
- \$25,000 and up

Number of Employees: 1-9 10-24 25-99 100-250 250+

CONTINUE>

Business Owner:

First Name: _____ Middle Initial: _____ Last Name: _____

Organization Name [LLC, franchise, etc.]: _____

Address Line 1: _____

Address Line 2: _____

City: _____ State: _____ Zip: _____ Email: _____

Business Phone: _____ Mobile Phone: _____

Preferred Contact Method: _____

Preferred Language:

- | | |
|----------------------------------|---------------------------------------|
| <input type="checkbox"/> English | <input type="checkbox"/> Korean |
| <input type="checkbox"/> Spanish | <input type="checkbox"/> Vietnamese |
| <input type="checkbox"/> Arabic | <input type="checkbox"/> Russian |
| <input type="checkbox"/> Chinese | <input type="checkbox"/> Other: _____ |

In order for us to monitor and ensure equitable implementation of the licensing ordinance, please complete the following section:

What is your race or origin? Mark as many boxes as appropriate.

Race:

- | | |
|--|---|
| <input type="checkbox"/> African | <input type="checkbox"/> Middle Eastern |
| <input type="checkbox"/> Latino/Hispanic | <input type="checkbox"/> Asian |
| <input type="checkbox"/> Native Hawaiian or Pacific Islander | <input type="checkbox"/> Native American or Alaska Native |
| <input type="checkbox"/> Black/African American | <input type="checkbox"/> White |
| <input type="checkbox"/> Slavic | <input type="checkbox"/> Other: _____ |
| | <input type="checkbox"/> Decline to answer |

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Licensing Questions:

Has this business been in violation of any tobacco retail law? Yes No Unknown

Is this business [physical location] within 1,000 feet of a school? [Defined: shortest distance traveled from any entrance of the proposed location for tobacco retailing to the parcel boundary of the school] Yes No Unknown

Is this business [physical location] within 1,000 feet of another tobacco retailer? [Defined: shortest distance traveled from any entrance of the proposed location to any entrance of the existing location] Yes No Unknown

Is this business a fixed location? [No license may be issued to authorize tobacco retailing at a non-fixed location. A non-fixed location means any retail business whose physical location is not permanent, including, but not limited to: any retail business that is operated from a kiosk, other transportable structure, or a motorized or non-motorized vehicle.] Yes No

Is this application for a temporary event? [No license may be issued to authorize tobacco retailing at a temporary event. For example, a tobacco retail license will not be issued for use at a farmer’s market or fair.] Yes No

Business Type:

- Bar/Restaurant
- Convenience Store
- Gas Station
- Grocery Store
- Liquor Store
- Pharmacy
- Tobacco Shop
- Vape Shop
- Other: _____

Products Sold:

- Cigarettes
- Little Cigars
- Large Cigars
- Smokeless Tobacco
- Loose Tobacco
- Blunt Wraps
- E-cigarettes/Nicotine Vaping Products
- Hookah or Shisha
- Synthetic Nicotine
- Other Products: _____

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Affirmation

Every application for a Tobacco Retail License shall include a signed affirmation that the Retail Business Owner is informed of the laws affecting the Tobacco Retail License pursuant to Benton County Code Chapter 17. A signed affirmation is required for each location where tobacco products are made available for retail sale or exchange. It is the Retail Business Owner’s responsibility to ensure that all employees and retail associates who sell tobacco products are informed of and trained to comply with all federal, state, and local tobacco retail laws pertaining to the license. Educational materials regarding federal, state, and local tobacco retail laws have been provided with this application for your information.

I, (Print Retail Business Owner’s full name) _____, am informed of the tobacco laws affecting the Benton County Tobacco Retail License and will train all staff who sell tobacco products on these laws.

Signature Date

To Submit an Application:

By Mail: Send a completed application with a check or money order in the amount of \$560.00 to: Benton County Health Department, ATTN: Tobacco Retail License Program, PO Box 3020, Corvallis, OR 97339

In Person: Drop off a completed application with check, money order, or cash in the amount of \$560.00 to: Benton County Health Department, ATTN: Tobacco Retail License Program, Kalapuya Building, Environmental Health Office (second floor), 4500 SW Research Way, Corvallis, OR 97333

*Business office hours: Monday through Friday, 8:00am - 12:00 pm, 1:00 pm - 5:00pm. Closed all major holidays.

Questions: Please contact us at 541-766-6652 or TRLinfo@bentoncountyor.gov

****For Health Department Use****

Date Application Received: ____/____/_____

License Fee Paid: Yes No

Approved: Yes No [Reason:_____]

Signed: _____

Things to know about selling tobacco in Benton County

Retailers selling tobacco and nicotine products in Benton County must follow all federal, state, and local laws regarding tobacco products or tobacco retailing, and throughout all business operations at the licensed location. (BCC Ch. 17)

A tobacco retail license is non-transferable, except a replacement license will be issued, without charge, to a licensee who changes location during the valid term of the licensee's license. (BCC Ch. 17)

“Tobacco product” means: (i) any product containing, made of, or derived from tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; **and**

(ii) any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or any component, part, or accessory of (i) or (ii), whether or not any of these contains tobacco or nicotine, including but not limited to filters, rolling papers, blunt or hemp wraps, hookahs, mouthpieces, and pipes.

“Tobacco product” does not mean “drugs,” “devices,” or “combination products” authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act. (BCC Ch. 17)

“Electronic smoking device” means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. “Electronic smoking device” includes any component, part, or accessory of the device, and also includes any substance that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine. “Electronic smoking device” does not include “drugs,” “devices,” or “combination products,” authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act. (BCC Ch. 17)

Only sell tobacco products to people who are 21 years of age or older. Make sure you ask customers who look younger than 27 years of age for ID's and check the birth dates carefully. (ORS 431A.175; BCC Ch. 17)

Acceptable forms of ID include, but are not limited to:

- The person's passport issued by the United States or a foreign government
- The person's motor vehicle operator's license issued by this state or another U.S. state
- An identification card issued under ORS 807.400
- A United States military identification card
- An identification card issued by a federally recognized Indian tribe
- Any other identification card issued by a state or territory of the United States that bears a picture of the person, the name of the person, the person's date of birth and a physical description of the person. (ORS 167.755, ORS 431A.175, ORS 431A.183)

About your Tobacco Retail License

All locations selling tobacco products must have a valid annual Tobacco Retail License, issued by the Benton County Health Department. (BCC Ch. 17)

The Benton County Health Department will provide a paper license that must be displayed at your location, easily visible to customers. (BCC Ch. 17)

All locations must display required signage (provided with license) under Oregon State law that states it is illegal to sell tobacco or inhalant delivery systems to persons under 21 years of age. (ORS 431A.175)

Packaging

Tobacco Products as defined above must be sold in original packaging with health warnings. Cigarettes must be sold in packages of 20. Tobacco products cannot be opened to be sold as single units, such as single cigarettes (aka "loosies") or snus pouches. (ORS 431A.175)

Inhalant delivery systems must be packaged and labeled according to law. (ORS 431A.175)

Point of Sale

Keep all tobacco products behind the counter in an area accessible only to employees/owners or in a locked case. (ORS 167.407; BCC Ch. 17)

Selling tobacco products in vending machines is only allowed in facilities that prohibit persons under 21 years of age. (ORS 167.402)

Promotions

It is illegal to sell any flavored cigarettes except menthol or cigarettes labeled "light," "low tar," or "mild." (21 US Code § 387g) (Section 911(b)(2)(A)(ii) of the Federal Food, Drug, and Cosmetic Act)

It is illegal to offer gifts or other items when purchasing a tobacco product. (CFR § 1140.34(b))

Samples of tobacco products are illegal except in locations that exclude persons under 21 years of age. (21 US Code § 387 a1(a)(2)(G)) (ORS 180.486)(431A.175)

Working with Benton County

Tobacco retailers must permit access for Benton County inspectors to perform annual inspections and investigations. (BCC Ch. 17)

Tobacco retailers must cooperate in remediation planning. (BCC Ch. 17)

A tobacco retail license is non transferable. If you should move your business within Benton County, you must obtain a new license prior to selling tobacco products at the new location. If a licensed business is sold or transferred, the new owner must obtain a new license for that location before selling tobacco products.

For more information, visit the Benton County Tobacco Retail License Program Website:

<https://health.bentoncountyor.gov/tobacco-retail-license/>