

February 21, 2025

Peabody Board of
Health
24 Lowell St.
Peabody, MA 01960

Dear members of the Peabody Board of Health,

We would like to start off with a thank you for allowing us the opportunity to work with you on presenting our knowledge and resources that we are going to use within our stores to maintain the safety of our youths, along with our new operational guidelines that we are willing to follow. We look forward to our continued positive relationship for us and the community. Below is our plan on how we propose to put these necessary guidelines into place to ensure compliance with Massachusetts laws regarding tobacco and electronic nicotine delivery products in Peabody stores.

Signage

We will display all signage required by both state and city regulations. We are willing to comply with any additional regulations that might be added. We will provide signage no higher than 7 feet anywhere in the store and ensure that it is conspicuously displayed.

Product Guidelines

To maintain transparency and adherence to the law, all Peabody store owners holding a tobacco permit have joined a dedicated WhatsApp group. This group serves as a communication channel for discussing and verifying the legality of electronic products before they are sold.

We will send a manager in charge of tobacco compliance at our establishment to a free one-hour in-person training to be offered by the Peabody Board of Health on how to identify legitimate manufacturer letters. This training will be offered in April, 2025.

We will not accept any new products without the manufacturer letter signed by a credible representative.

We will only purchase our products from a fully licensed distributor that also follows state of Massachusetts regulations. We will not purchase products from any business or individual

holding only a retailer permit.

We will NOT carry any disguised products, i.e. colors, shapes, toys, youth-friendly logos, etc. that draw attention to our youth.

New Product Inspection

New product will be physically inspected, opened and scent checked, with no gray area results, meaning if product has slight scent, it will be rejected and sent back. As a result of our inspections regarding new products, we will share our rejections with each other to keep all our stores safe.

Any new electronic tobacco product that becomes available is shared within the group. We collectively inspect, test, and open the product to ensure that it complies with Massachusetts regulations, does not contain any flavors, and is legally permitted for sale.

We will conduct an assessment of all existing products we offer to ensure compliance with the flavor ban and other requirements no later than June 1, 2025, as a condition of renewal of our tobacco sales permit.

Existing Brand Ban

As agreed upon during the January 15th meeting, we will work through our existing stock on one particular brand (Crave Clear), and April 15th we will discontinue remaining stock in our stores.

Age Restriction

All employees will be instructed to check IDs for every tobacco sale, regardless of the customer's appearance, and to verify the authenticity of the ID before completing a sale. We will install ID verification/scanning system for all age restricted products.

- a. We will have ALL staff complete a training/course (whichever is suggested) to ensure all employees are fully compliant with the sale of age restricted products, including checking IDs and refusing sales to minors. At minimum, the required training will include the free online training offered by the Department of Public Health
English: <https://www.screencast.com/t/3qXdJiHBTa>
Spanish: <https://www.screencast.com/t/X0LdN4oKI>
- b. Additional training programs can be found at <https://www.mass.gov/info-details/retailer-education-and-training-resources>

- c. Language Support for Non-English Speakers - For employees who do not speak English, we will provide a translated version of the video or explain the key points in their preferred language. If needed, we will also use visual guides and demonstration methods to reinforce the message.
- d. Employee Acknowledgment - Each employee will sign a document confirming they have watched the training, understood the policy, and will follow the guidelines.
- e. Any establishment currently without ID verification/scanning technology shall install such a system and train all staff in its use prior to permit renewal on June 1, 2025.

We will maintain documentation of names of all certified employees and their certification date regarding age restricted products. Employees will need to be certified prior to being allowed to process sales of age-restricted products

Recordkeeping

We will provide a 3 ring binder that contains: current compliant manufacturer letters for all tobacco products on the premises; documentation of employee training, certifications, and acknowledgements; copies of local regulations regarding tobacco sales; a list of required signage; documentation of audits; and other records that may be required by the Peabody Board of Health.

An employee will be designated to keep this binder up to date at all times. The binder shall be made available to representatives of the Board of Health upon request.

Self-monitoring program

The group allows for continuous monitoring and mutual accountability among store owners to make sure all stores remain compliant. Peabody permitted tobacco retailers will work together to implement a self-monitoring program. Each retailer will participate in the program and ensure a minimum of two outside audits are conducted in the establishment each year. Retailers will use the information discovered during the audit to implement corrective action if needed but will not share the results of the audit with the Peabody Board of Health. Retailers will document completion of the audit and will share that information with the Peabody Board of Health upon request using the attached form.

As part of this proposal, we agree that the Peabody Board of Health can conduct an evaluation

of this voluntary compliance program. Parameters to be evaluated include:

1. Number of establishments participating
2. Number of establishments with all required signage posted, including assessment of conspicuous location.
3. Number of establishments with ID scanning/verification technology.
4. Number of staff with documentation of training. Will include information on primary language of staff so that we can provide feedback to regulators on what additional language resources are needed.
5. Number of establishments with valid, legally-compliant manufacturer letters for every product in inventory.
6. Number of establishments with no banned products (high nicotine content, flavored)
7. Number of establishments with no products designed to appeal to youth
8. Number of establishments completing a minimum of 2 audits per calendar year (one January – June, one July – December).
9. Number and type of violations of Peabody Regulations for Sale of Tobacco Products as determined by formal compliance checks conducted as part of the Peabody Board of Health's regular and ongoing compliance program.

In conclusion we are willing as a community of permit holders to fully adhere to this voluntary compliance program and to keep in close contact with your Board to ensure the safety of our youths.

By maintaining this system, we strive to uphold the highest standards of legal compliance while working together as a community to prevent any violations. Please let us know if you require any further information.

Attached you will find a list of all license holders' signatures agreeing to participate in this voluntary compliance program.

Sincerely,