

OFFICE USE ONLY:	ID #	ISSUED	EXPIRED	DATE RECEIVED	AMOUNT RECEIVED
					\$

STATE OF MAINE DHHS
RETAIL TOBACCO SALES LICENSE APPLICATION
(PLEASE PRINT AND COMPLETE ALL REQUIRED FIELDS)
Questions? Email: tobaccolicensing.dhhs@maine.gov

1. LICENSE CATEGORY *Must check one. If new license, answer question 1a. If change of ownership, answer question 1b.*
☐ NEW **1a. Projected opening date:** _____ ☐ CHANGE OF OWNERSHIP **1b. Date ownership transferred:** _____

2. LICENSE TYPE *Must check one.*
☐ SEASONAL MOBILE FAIR: Must operate at **two or more** agricultural fairs held during the agricultural fair season (visit: <http://www.maineairs.org>)

Retail Tobacco Licenses Expire Annually on MARCH 31st. Renewals are accepted **60 days prior to March 31st.** After April 30th a late fee of \$25.00 will be added with a potential civil violation penalty for selling without a valid license. **Annual Fees** are listed below under the **April 1 – June 30 column.** Retail Tobacco License Fees are **Prorated** when obtained each quarter after June 30.

Retail Tobacco License Fees				
	April 1- June 30 (Annual Fee)	July 1- September 30 (Prorated Fee)	October 1- December 31 (Prorated Fee)	January 1- March 31 (Prorated Fee)
Seasonal Mobile Fair Tobacco Vendor License** **must operate at two or more agricultural fairs held during the agricultural fair season	\$50 for the first fair location + \$10 for each additional fair location	\$50 for the first fair location + \$10 for each additional fair location	\$50 for the first fair location + \$10 for each additional fair location	\$50 for the first fair location + \$10 for each additional fair location

Please Make Check or Money Order Payable to: **Treasurer, State of Maine**
 And Mail Correct Annual Fee or Prorated Fee with Completed Application to:
 Health Inspection Program,
 286 Water St. 3rd Floor
 Augusta, ME 04333-0011

3. ESTABLISHMENT INFORMATION *All fields required. Including an active e-mail will ensure effective communications.*

STORE NAME **(MUST INCLUDE PHOTO OF BOTH ESTABLISHMENT AND SIGN):** _____

LOCATION ADDRESS (SUITE, APT, STREET): _____

CITY/TOWN: _____

COUNTY: _____ STATE: ME ZIP: _____ - _____

CONTACT PERSON'S NAME: _____

BUSINESS TELEPHONE#: (____) _____ - _____ WEBSITE: _____

E-MAIL (PRINT NEATLY): _____

4. BUSINESS OWNER INFORMATION *All fields required*

INDIVIDUAL OWNER(S) NAME: _____ **OR** CORPORATION, LLC, PARTNERSHIP NAME: _____

IF CORPORATION, PLEASE INDICATE NUMBER OF SHAREHOLDERS: _____

IF CORPORATION, LIST PARTNER(S)/SHAREHOLDERS NAME(S)/ TITLE(S)/ MAILING ADDRESS(ES):

1. _____

2. _____

MAILING ADDRESS (SUITE, APT., BOX): _____

MAILING ADDRESS (STREET, ROAD): _____

CITY/TOWN: _____ STATE: ____ ZIP: _____ - _____

OWNER CONTACT PERSON'S NAME: _____

CORPORATE REGISTERED AGENT: _____ OWNER PHONE #: (____) _____ - _____

E-MAIL(PRINT NEATLY): _____

5. PREVIOUS OWNER'S INFORMATION *Must complete if this business location previously had an active retail tobacco license.*

FORMER BUSINESS'S NAME: _____ RETAIL TOBACCO LICENSE#: _____

FORMER OWNER'S NAME (LAST): _____ (FIRST): _____

FORMER CORP./LLC'S NAME: _____

MAILING ADDRESS (STREET): _____ (CITY): _____ (ZIP): _____

LOCATION ADDRESS (STREET): _____ (CITY): _____

IMPORTANT

A license may not be sold, transferred, assigned, or otherwise controlled by any person, other than the licensee. Prior owners are required to return their licenses to the Department. A license shall not be issued to another applicant until the current license and sworn statement of the former licensee are received by the Department, 22 M.R.S. §1553

6. ESTABLISHMENT OPERATION *All fields required.*

CURRENTLY OPERATING: Yes ()

No () If no, projected opening date: _____

Seasonal ()

ANNUAL DATES OF OPERATION FROM (Month/Day): _____ / _____ to (Month/Day): _____ / _____ (for example, April 1 to March 31)

Store Hours	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
TIME OPEN							
TIME CLOSE							

Fill-in the Store Hours chart above. Write/type "All" if the establishment is open 24 hours; "Closed" when the establishment is not open, or "Specify Time" with "AM or PM" in the corresponding boxes that does not contain an "All" or "Closed," for example TIME OPEN: 8 AM., TIME CLOSE: 8 PM.

7. ESTABLISHMENT TYPE *Required field. Must check at least one. Check all that apply of the following categories that best describe establishment type.*

<input type="checkbox"/>	CABINS/ CAMPGROUND	<input type="checkbox"/>	GOLF CLUB/ GOLF COURSE / PRO SHOP
<input type="checkbox"/>	CANNABIS / MARIJUANA* *Review Public Law LD83 prior to applying to determine if you are required to obtain a retail tobacco license: getPDF.asp (mainelegislature.org) .	<input type="checkbox"/>	GROCERY STORE, SUPERCENTER SUPERMARKET
<input type="checkbox"/>	CASINO	<input type="checkbox"/>	HEAD SHOP/GLASS
<input type="checkbox"/>	CIGARS	<input type="checkbox"/>	OTHER (Explain: _____)
<input type="checkbox"/>	CONVENIENCE STORE	<input type="checkbox"/>	PHARMACY
<input type="checkbox"/>	COUNTRY/ GENERAL STORE or GIFT SHOP	<input type="checkbox"/>	REDEMPTION CENTER
<input type="checkbox"/>	DELIVERY SALES OF PREMIUM CIGARS <i>Internet/ Mail Order only. Must complete Section (11.) Delivery Services of Premium Cigars Info.</i>	<input type="checkbox"/>	RESTAURANT Smoking is prohibited in outdoor eating areas, 22 M.R.S. §1550. Signs shall be posted, 22 M.R.S. §1543.
<input type="checkbox"/>	ELECTRONIC SMOKING DEVICES/ ELECTRONIC LIQUID/ COMPONENTS	<input type="checkbox"/>	SEASONAL MOBILE FAIR <i>Must operate two or more agricultural fairs during the agricultural fair season. Write fair name, location, and dates below. Full list: http://www.maineairs.org</i> Fair #1: _____ Fair #2: _____
<input type="checkbox"/>	FRATERNAL, VETERANS, or PRIVATE CLUB	<input type="checkbox"/>	TOBACCO SHOP <i>Smoking is prohibited</i> , 22 M.R.S §1542.
<input type="checkbox"/>	GAS STATION	<input type="checkbox"/>	VENDING MACHINE <i>Separate license for each machine at each location, must complete Section 10. Only cigarettes or any other tobacco products may be dispensed by that machine.</i>

8. TOBACCO PRODUCT SALES *Required field. Must check at least one. Check all that apply of the following categories that best describes gross revenue.****Retailers that sell these tobacco products must purchase these products from an approved Maine Licensed Distributor - Complete Section 9**

<input type="checkbox"/>	*CHEWING/PIPE TOBACCO	<input type="checkbox"/>	*SNUFF/SNUS
<input type="checkbox"/>	*CIGARETTES	<input type="checkbox"/>	*NICOTINE POUCHES/DISOLVABLES
<input type="checkbox"/>	*CIGARS	<input type="checkbox"/>	PIPES/ GLASS PIPES
<input type="checkbox"/>	CIGAR WRAPS	<input type="checkbox"/>	ROLLING PAPERS
<input type="checkbox"/>	*ELECTRONIC SMOKING DEVICES Pods/Cartridges/Batteries/E-liquids/Components (Except those containing cannabis)	<input type="checkbox"/>	ELECTRONIC SMOKING DEVICES PODS/CARTRIDGES (Used for or containing Cannabis/THC/Marijuana)
<input type="checkbox"/>	*All OTHER PODS/CARTRIDGES	<input type="checkbox"/>	OTHER (Specify): _____

9. TOBACCO DISTRIBUTOR DELIVERY SERVICES INFORMATION *Required field. Must purchase tobacco products from a Maine licensed Tobacco Distributor. For approved Tobacco Distributors please visit: <https://www.maine.gov/revenue/taxes/other-taxes/tobacco-distributors> Attach additional sheet as needed.*

TOBACCO DISTRIBUTOR NAME: _____ PHONE #: (____) _____ - _____

10. VENDING MACHINE LOCATION *Applicable only if you sell tobacco/tobacco products from a vending machine.*

VENDING MACHINE LOCATION'S BUSINESS NAME: _____

BUSINESS ADDRESS (ACTUAL LOCATION) STREET: _____

CITY/TOWN: _____ COUNTY: _____ ZIP: _____

11. DELIVERY SERVICES OF PREMIUM CIGARS INFORMATION <i>Applicable only if you deliver premium cigars, see 22 M.R.S. §1555-C. for provisions.</i>			
DELIVERY SELLER'S NAME: _____		WEBSITE: _____	
WAREHOUSE LOCATION STREET (from which products are shipped): _____			
TOWN/ CITY: _____		STATE: ____	ZIP: ____
12. COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS			
The undersigned applicant acknowledges that upon licensure he, she or it shall abide by all laws and regulations related to the operation and administration of a retail tobacco establishment, and shall allow agents of the Department of Health and Human Services onto its licensed premises at all reasonable times for the purpose of licensing inspections to assure that the applicant is in compliance with all relevant Departmental statutes and regulations.			
13. SIGNATURE OF APPLICANT <i>All fields required</i>			
<i>This application must be signed and dated by the owner, managing partner, or any other person authorized to sign on behalf of the owner, or if corporation by registered agent. I declare that this application is true and complete and that I am 18 years of age or older.</i>			
X _____	_____	_____	_____
Signature	Printed Name	Title	Date

RETAIL TOBACCO SALES BRIEF COMPLIANCE TIPS

What is a Tobacco Product?

A tobacco product is a product that is made from or derived from tobacco, or that contains nicotine, that is meant to be smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means. Tobacco products includes, but are not limited to, cigarettes, cigars, hookah, pipe tobacco, chewing tobacco, snuff, snus, electronic smoking devices, and any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes and liquids used in electronic smoking devices, whether or not they contain nicotine. Matches and lighters are not considered tobacco products.

A retail tobacco sales license required

A person or entity must obtain a retail tobacco license in order to sell or give away tobacco products including cigarettes, cigars, hookah, pipe tobacco, chewing tobacco, snuff, snus, electronic smoking devices and any components or accessories used in the consumption of tobacco products, such as filters, rolling papers, pipes and liquids used in electronic smoking devices, whether or not they contain nicotine. Any and all sales of tobacco products by a retailer without a retail tobacco license may result in criminal charges, imprisonment, and fines in excess of \$1,000 per violation.

Notice: LD83 An Act to Clarify State Policy Regarding Cannabis Paraphernalia in the Maine Medical Use of Cannabis Act and the Cannabis Legalization Act was approved and became public law on March 15, 2023. Print and review: [getPDF.asp \(mainelegislature.org\)](https://www.getpdf.org/mainelegislature.org) (A retail tobacco license is required if the establishment sells, offers for sale or furnishes any tobacco product that contains tobacco, nicotine or synthetic nicotine.)

Licenses are issued by the Health Inspection Program at the Maine Department of Health and Human Services. Licenses are due annually by April 1st. Licenses may be renewed **60 days prior to expiration of March 31st.**

Tobacco 21

A person may not sell, furnish, give away or offer to sell, furnish or give away a tobacco product to any person who is younger than 21 years old. Tobacco products may not be sold to any person under 30 years old unless the seller first verifies that person's age by means of reliable photographic identification containing the person's date of birth.

A notice must be posted by the tobacco retailer explaining that sales of tobacco products to people who are younger than 21 years old are prohibited. Notices must be displayed clearly in the retail store.

Free signage available: <https://www.maine-prevention-store.com>

Free training: <https://www.nobutstraining.com>

Display of Tobacco Products for sale

Tobacco products must be displayed or offered for sale in a manner that does not allow the customer direct access to the tobacco products. Tobacco Products must be placed behind the sale counter or in a locked display case, where only the age appropriate sale clerk can obtain the tobacco product.

No Online Sales, face-to-face transactions only

Tobacco products may only be **sold in a direct, face-to-face exchange in which the customer may be clearly identified.** It is illegal to sell or deliver tobacco products to Maine consumers online or over the phone. For direct, face-to-face sales, employees who sell tobacco products must be at least 17 years of age. An employee who is 17 years of age or older and under 21 years of age may sell tobacco products only in the presence of an employee who is 21 years of age or older and is in a supervisory capacity.