

- 5.1.2 Compliance Checks.** The Department shall perform one compliance check of each tobacco permit holder, and a second compliance check on each permit holder who was noncompliant the first time checked during the term of the Agreement. The first compliance check shall be completed and submitted for reimbursement to ABD by April 15, 2007. The second compliance check shall be completed and submitted for reimbursement to ABD by June 1, 2007. Clerks that fail compliance checks shall be ticketed criminally. The Department shall, within seven (7) days, notify the retail owner or manager of any violation. The second compliance check shall be conducted in a timely manner, but shall not occur until retailers have been notified if they were found to be non-compliant during the first check and passage of a reasonable amount of time. Within seventy-two (72) hours of a Department issuing a citation for a violation of Iowa Code § 453A.2(1) to a permit-holder or employee of a permit-holder, the Department must notify the local permit-issuing authority that issued the cigarette permit to the retailer where the offense was committed.
- 5.1.3 Retail Employee Training.** The Department shall participate in a tobacco compliance employee-training program. The Department shall schedule one (1) I-Pledge Training Class per month from July 1, 2006 through June 30, 2007. ABD shall pay a flat fee of \$100 to the Department for each class they instruct.
- 5.1.4 Youth Volunteers.** Utilization of youth volunteers is strongly encouraged where feasible. The Department may compensate the youth involved in the compliance checks in a manner consistent with Section 6. The Department may seek youth volunteers through the local tobacco community partnership program.
- 5.1.5 Routine Enforcement.** In addition to conducting compliance checks, the Department agrees to regularly enforce youth smoking laws by ticketing youth offenders.
- 5.1.6 Cops-in-Shops.** The Department agrees to cooperate with the ABD in conducting "cops-in-shops," or similar programs designed to deter youth from attempting to purchase cigarettes or tobacco products.
- 5.1.7 Civil Proceedings.** The Department shall cooperate with city, county and state prosecutors if civil permit proceedings are initiated against a tobacco permit holder. The Department shall also cooperate in proceedings against cited clerks and minors. Cooperation shall include, but not be limited to, sharing investigative reports and copies of issued citations, as well as providing witness statements and testimony.
- 5.1.8 Compliance Reports.** The Department shall provide monthly reports to the ABD in the manner prescribed by the ABD. In addition, if requested, the Department shall provide this data to the Iowa Department of Public Health