



ILCC News

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www.state.il.us/LCC

New FDA program targets tobacco sales to minors in Illinois

Every day, nearly 4000 kids try their first cigarette. Over a quarter of them will become addicted before they are old enough to realize the risks. To reduce youth access to tobacco and its devastating long-term effects, the State of Illinois and the U.S. Food and Drug Administration (FDA) began partnering on a new inspection program earlier this year.



As part of the program, Illinois Liquor Control Commission (ILCC) tobacco compliance specialists are currently inspecting tobacco retail establishments to ensure they comply with federal regulations. During their visits, these specialists will be reviewing tobacco self-service displays, advertising, labeling, and other items (including whether flavored tobacco products are being sold).

Starting in September 2012, these label inspections will include checking the FDA's first required change in cigarette warnings in more than 25 years. The new labels will feature larger, more prominent health warnings on all cigarette packaging and advertisements in the United States.

According to the FDA, these new warnings are a significant advancement in communicating the dangers of smoking. In addition, as they have in the past, minors will continue to test retailers by attempting to buy cigarettes from Illinois tobacco retailers.

Take our tobacco quiz on page 3!

Order your tobacco retailer kit today!

The Tobacco Retailer Kit is designed to provide additional support for community leaders and retailers in their effort to ensure tobacco products are not sold to those under 18 years of age. The kits includes a review of state minimum-age tobacco laws, federal regulations, 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.

To order your FREE kit, please visit the Commission's "Kids Can't Buy 'em Here!" website at <http://www.state.il.us/lcc/tobacco/orderkit.htm>.



SAVE THE DATE! See back page for CTS11 details...

A Letter from the Director



ILLINOIS LIQUOR CONTROL COMMISSION

“To protect the health, safety and welfare of the people of Illinois.” These are the opening words of the Illinois Liquor Control Commission’s (ILCC) mission statement. It’s a simple phrase, but one that comes with enormous responsibility.

Its meaning can easily be placed into the background during the rush of a busy work day. But it jumps to the forefront all too often...when a drunk-driver takes an innocent life, when a teenager buys a six-pack with a fake ID, when a college student gets alcohol poisoning.

All of these scenarios can be prevented, and this issue of *ILCC News* serves as a good illustration on how the Liquor Commission plays a key role in these prevention efforts.

On page 4, you will learn about our extensive underage compliance check operation. We list the new Beverage Alcohol Sellers/Servers Education & Training (BASSET) providers on page 5 who have come on line in just the past year. Over 200 BASSET providers train sellers and servers in the state, and we shine a spotlight on Creative Hospitality Associates to demonstrate how important their work is in protecting Illinois residents and visitors.

To ensure our retailers are operating safely, the Office of the State Fire Marshal provides some important information on page 6, regarding the sale of fireworks and novelty lighters. Should one of your employees become injured on the job, page 7 lists your legal responsibilities regarding workers’ compensation insurance.

The Commission is also responsible for reducing youth access to tobacco products. Our cover story describes how our new partnership with the U.S. Food and Drug Administration is designed to reduce youth access to tobacco. Make sure you take the quiz on page 3 to test your knowledge on minimum-age tobacco laws.



Finally, risky alcohol use by college students is an age-old problem, one with an immeasurable effect on our state’s future leaders. The Liquor Commission has again called upon key stakeholders to undertake the daunting task of reducing college-age alcohol abuse by hosting our 3rd Annual College Town Summit. If you are a college town official, please turn to our back page for registration information.

Sincerely,

Gloria L. Materre, Executive Director
Illinois Liquor Control Commission

ILCC News

Article suggestions are welcome!

The Commission welcomes your input to enhance the *ILCC News* publication.

If you have a suggestion for an article topic or a helpful hint to share with other licensees, please contact the Commission’s Chicago Office.

ILCC News is published by the Illinois Liquor Control Commission for state liquor licensees, local government officials, industry associations and related government agencies.

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Take our tobacco quiz

If your establishment sells tobacco, you play a critical role in keeping cigarettes out of the hands of children. To ensure you and your employees perform this role legally and effectively, please answer the following true or false statements (feel free to make copies of this page for your employees):

1. True False *It is illegal for retailers to sell candy- or fruit-flavored cigarettes.*
2. True False *You can sell a t-shirt which includes a particular tobacco brand or logo.*
3. True False *Retailers are required to check the ID of anyone under the age 27 who attempts to buy tobacco products.*
4. True False *Retailers are prohibited from giving away free samples of cigarettes.*
5. True False *A child of any age can purchase tobacco products as long as they provide a signed note from a parent (or legal guardian) indicating the product is for adult use only.*
6. True False *Retailers can sell single cigarettes.*
7. True False *Minor “decoys” will attempt to buy cigarettes at Illinois licensed retailers.*

Answers to questions at bottom of page 7. Also, to learn more about tobacco laws, please see the box at the bottom of the front cover to order the “Kids Can’t Buy ‘em Here!” retailer kit.

NEW! Craft Brewer’s License

On June 1, the new **Craft Brewer’s License** was created, allowing small breweries throughout the United States to sell their product directly to Illinois retailers. A craft brewer is a manufacturer of less than 465,000 gallons of beer per year. Those approved for a Craft Brewer’s License can distribute up to 232,500 gallons of their product to retailers.

An application for the new Craft Brewer’s License can be found on the Illinois Liquor Control Commission’s home page www.state.il.us/LCC. If you have any questions regarding this license, please call 312-814-2206.



FREE cashmat available

All valid “Under 21” IDs are now in a vertical format. The Illinois Liquor Control Commission’s popular 15x10-inch countertop cashmat, to be displayed wherever alcohol is sold, includes a representation of all current underage ID cards.

Also included is a listing of penalties on BOTH the seller and customer. Remember, *it’s a 2-way street*; remind your employees and patrons that alcohol purchased for underage consumption has consequences!

To order your FREE cashmat, please visit the Liquor Commission’s website at www.state.il.us/LCC/mat.asp.

Selling to minors is against the law

Did you get *stung* this summer?

No, not by a bumble-bee, but by the Illinois Liquor Control Commission's (ILCC) underage compliance check operation—often referred to as a *sting* operation. If you haven't received a visit yet, chances are you will see an ILCC special agent accompanied by a minor before the leaves turn color this fall.

The ILCC's compliance check operation features teenagers attempting to purchase alcohol from Illinois liquor-licensed retailers throughout the state. Those establishments cited for



selling to minors are subject to a fine, suspension, or revocation of their liquor license (see the "Latest News" section at the lower-right of our home page www.state.il.us/LCC for the monthly listing of establishments cited for violations).

Additionally, those individuals who sell to minors are arrested and subject to a Class A Misdemeanor (minimum \$500.00 fine). "Our agents take the responsibility of protecting the public seriously," says Illinois Department of Revenue Tax Enforcement Administrator John Chambers, who oversees the ILCC special agents.

"While the retailers we tested had nearly an 80 percent compliance rate with underage drinking laws this past fiscal year (July 2010-June 2011), our goal is higher. We are continually making adjustments to meet this challenge."

ILCC special agents will continue visiting liquor establishments with minors until Illinois receives a 100 percent compliance rate. One way to avoid getting *stung* is by enrolling all your staff in a Beverage Alcohol Seller/Server Education & Training (BASSET) class. To learn more about BASSET—and to find a class near you—please visit the web at www.state.il.us/LCC/basnet. If you have additional questions, please contact BASSET Manager Lee Roupas at 312-814-0773 or lee.roupas@illinois.gov.

BASSET trainers you should know...

*The following is one in a continuing series of articles designed to explore how liquor establishments employ Beverage Alcohol Sellers/Servers Education & Training (BASSET) to further their business goals. In this issue, we take a closer look at licensed BASSET provider **Creative Hospitality Associates** and their FAST program.*

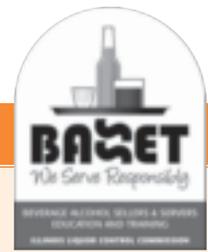
The Fundamental Alcohol Safety Training (FAST) program was created by individuals who are experienced in the food and beverage industry and are professional educators. The principals of Creative Hospitality Associates (CHA), a Chicago-based consulting and hospitality training organization, have utilized their experience and industry knowledge to highlight the importance of serving alcohol responsibly – yet profitably.

Just as hospitality business owners require their servers to wear safety shoes and uniforms as well as exhibit proper hygiene, CHA staff believe the knowledge to responsibly serve alcohol should be a condition of employment. While FAST is directed toward all who work in establishments where liquor is served, it is most

beneficial to those directly responsible for serving alcoholic beverages to guests.

The FAST curriculum was designed specifically to include discussion and input from students in the class. For example, participants share their own life experiences as it relates to the serving of alcohol in the workplace. This interaction is invaluable as all servers will likely have to face some unpleasant situations when a few drinks become too many. During the training, discussions ultimately break out between class participants and the FAST trainer, with the end result being all will be better prepared to deal with the consequences of a guest's alcohol misuse.

In addition to providing BASSET-required information on the penalties and consequences of underage drinking, FAST trainers also discuss emergency evacuation plans and what should be done in case of an emergency. Other discussions center on acceptable standards of practice for serving alcoholic beverages.



FY 2011 newly licensed BASSET providers

JULY 2010

Karasotes Showplace Theatres

AUGUST 2010

Breaking Free

Bensenville Police Department

Sheraton Chicago

OCTOBER 2010

Backyard Bar & Grill

NOVEMBER 2010

Winnebago County

Elite Bartending

DECEMBER 2010

Westmoreland County Club

JANUARY 2011

Heroes West

Medieval Times

FEBRUARY 2011

United Security Services

Forest Park Police Department

MARCH 2011

Prairie Management Institute

Monical Pizza

Coalition for Healthy

Communities

Illinois Bartending Academy

APRIL 2011

Bonnie Paganis

MAY 2011

Community Partners

Against Substance Abuse

Rock Island Food Service

JUNE 2011

Crystal Lake Police Department

Premier Tastings

CHA strongly believes that – with management cooperation at the workplace and the participants' own skills – FAST training will provide the following knowledge to all who attend a class:

- How to help to create a comfortable atmosphere for all the your guests;
- How to “control” the environment of social drinking;
- How to influence aspects of drinking so servers can encourage responsible drinking;
- How to resolve bad or potentially troubling situations;
- How to incorporate the service's skills and knowledge in a meaningful and profitable way.

By arming students with the above knowledge, CHA is confident that students who complete the FAST class can then make sure their guests realize the ramifications of abusing alcohol from a physical, moral and legal standpoint.



For more information about the FAST alcohol training program, please visit CHA's website at www.chaconsulting.net.



From the State Fire Marshal's Office

There is a lot of confusion as to what fireworks can be sold at Illinois retail businesses. The Office of the State Fire Marshal (OSFM) is in charge of regulating fireworks, and is providing the below information as a guide so you can stay within the law.

The **Fireworks Use Act** specifically excludes “novelty” items from the definition of regulated (or “consumer”) fireworks. Novelty fireworks that are permitted for sale and use include *snake or glow worm pellets*; smoke devices; trick noisemakers (known as *party poppers, booby traps, snappers, trick matches, cigarette loads, and auto burglar alarms*); sparklers; toy pistols, toy canes, toy guns; or other devices in which paper or plastic caps containing twenty-five hundredths (0.25) grains or less of explosive compound are used.

However, the Fireworks Use Act states that “a municipality may, by ordinance, prohibit the sale and use of sparklers on public property” so please check with your local jurisdiction first before selling or using sparklers.



The OSFM maintains a list of approved consumer fireworks on their website: www.state.il.us/osfm (click on the “Commercial” tab then “Pyrotechnics/Fireworks”).

Consumer items that are prohibited for sale and use in Illinois include (but are not limited to) the following: hand held fireworks, bottle rockets, firecrackers of any size or type, sky rockets, roman candles, chasers, buzz bombs, ground items (other than those identified as “Approved Consumer Fireworks” on the OSFM website), helicopters, missiles, pin wheels (or any other twirling device whether on the ground or mounted above the ground), and planes.

Novelty lighter ban

With the passage of the **Retail Sale and Distribution of Novelty Lighters Prohibition Act** last year, it is now illegal to sell or distribute for retail “novelty lighters.” Failure to comply with this prohibition could result in legal enforcement actions and a fine not to exceed \$500 for each day of noncompliance.

What is a novelty lighter? The types banned by the Act include a mechanical or electric device typically used for lighting cigarettes, cigars, or pipes that is designed to resemble a cartoon character, toy, gun, watch, musical instrument, vehicle, animal, food or beverage, or similar articles. Additionally, lighters that play musical notes, have flashing lights, or other similar entertaining features are also banned. A novelty lighter may operate on any fuel, including butane, isobutene, or liquid fuel.



Please note that standard disposable and refillable lighters (for example, those printed or decorated with logos, labels, decals, or artwork, or heat-shrinkable sleeves) will continue to be allowed for sale.

Questions?

The majority of questions you may have about fireworks and lighters can be answered by visiting the OSFM's website at www.state.il.us/osfm. For any other questions, please call 217-785-0969 and be specific with your questions so we can direct you to the proper person.

Thank you for helping to keep Illinois safe!

Do you have workers' compensation insurance?

If you have employees, even one employee, the law requires you to carry workers' compensation insurance. There are a few exceptions, but overall, it's estimated that 91 percent of Illinois employees are covered under the Illinois Workers' Compensation Act.

Employers that fail to provide workers' compensation insurance for their employees have an unfair competitive advantage over law-abiding companies, while leaving their employees vulnerable if an accident should occur. The Workers' Compensation Commission searches for uninsured employers to keep the playing field fair.

Failure to obtain insurance may result in penalties, work-stop orders, and/or criminal charges. In recent years, employers have paid \$5 million in fines, and several employers have been shut down for failure to carry workers' comp insurance.

Every employer must post a notice in every workplace that lists basic information on workers' comp and includes the payer's contact information. Download this notice at www.iwcc.il.gov/forms.htm (click on "Other forms").

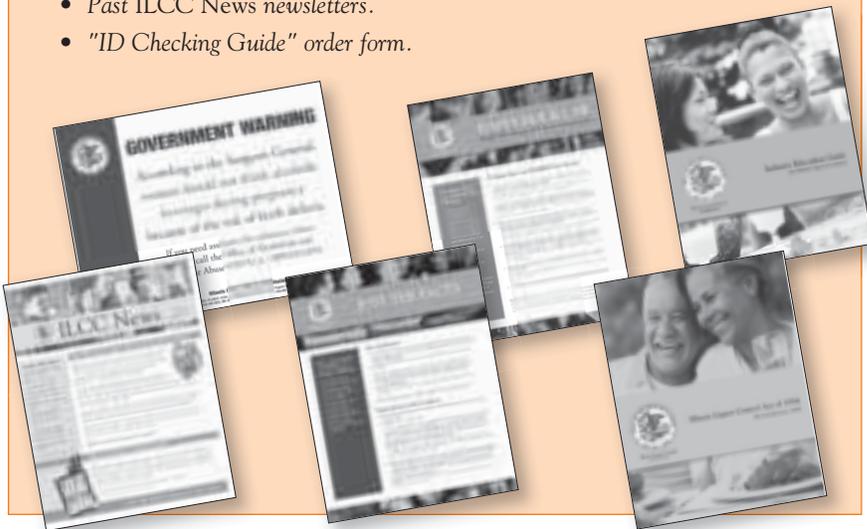


For more information, please contact your attorney or insurance agent, or go to the Illinois Workers' Compensation Commission's website. You can check the online database for employers' coverage and read Frequently Asked Questions about workers' comp insurance at www.iwcc.il.gov/insurance.htm

Order your FREE ILCC materials today!

The following FREE Liquor Commission materials are available to all licensees by visiting our home page www.state.il.us/LCC and clicking on the "Industry Education Materials" link, located on the right side of the screen:

- *Illinois Liquor Control Act and ILCC/BASSET Rules and Regulations.*
- "Happy Hour Law" and "Just the Facts" fliers.
- Alcohol "Proof of Age" and "Pregnancy Warning" signs.
- Past ILCC News newsletters.
- "ID Checking Guide" order form.



Answers to tobacco quiz on page 3

- 1) **True.** In 2009, cigarettes featuring a candy or fruit flavor were banned.
- 2) **False.** In 2010, the FDA outlawed the sale or distribution of items – such as hats and t-shirts – with tobacco brands or logos.
- 3) **True.** Federal regulations require retailers to verify the age of anyone under the age of 27 attempting to buy tobacco products.
- 4) **True.** Distributing free samples is illegal.
- 5) **False.** It is ALWAYS illegal for anyone under the age of 18 to purchase tobacco products.
- 6) **False.** Selling single cigarettes – often called *loosies* or *onesies* – was outlawed in 2009.
- 7) **True.** The Commission will continue to conduct underage compliance checks. During these operations, retailers will be observed as to whether they sell tobacco to a minor, request proper identification, sell prohibited flavored cigarettes, sell individual cigarettes, and has self-service displays (like vending machines) which can be accessed by minors.

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3rd Annual College Town Summit set for October 19

To address alcohol-related issues unique to college communities, the Illinois Liquor Control Commission (ILCC) will host the **2011 College Town Summit (CTS11)** on Wed, October 19. The CTS11 Steering Committee—featuring key stakeholders representing all sectors of Illinois' college town and higher education communities—have been hard at work over the past year designing a format and agenda allowing for all attendees to have their voice heard.

CTS11 attendees will include elected officials, law enforcement personnel, school administrators, prevention professionals, and other key individuals in the college towns. They will explore best practices through roundtable discussions and share ideas on how state, local, and school officials can work together to effectively control underage drinking and the overconsumption of alcohol in the college towns.

The cost to attend CTS11 is FREE, but space is limited, so **register early to reserve your seat at the table!** Please visit www.DontBeSorry.org/summit.htm for the registration form. For more information, please contact ILCC Education Manager Ted Penesis at 312-814-4802 or ted.penesis@illinois.gov.

