

State Board of Equalization



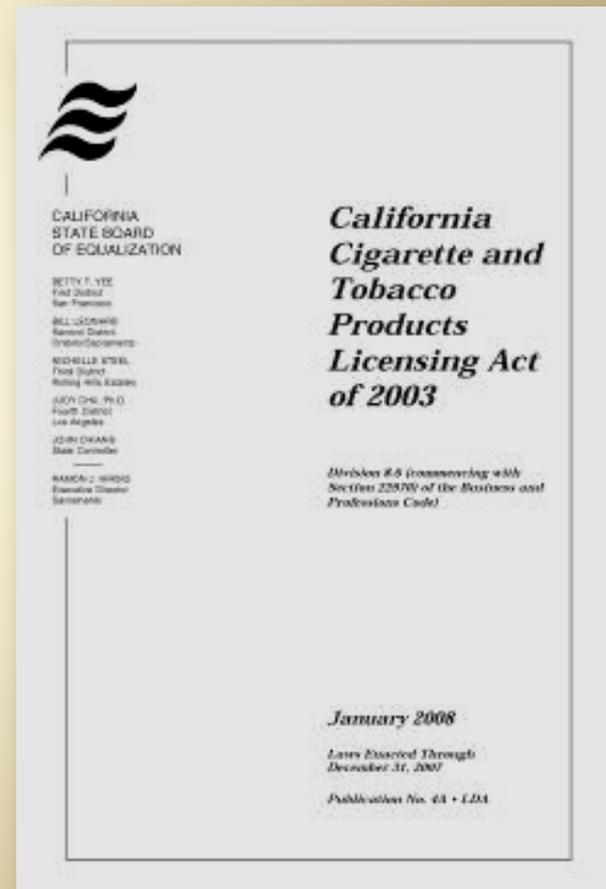
# **Sales of Cigarettes and Tobacco Products in California**

## **What All Retailers Should Know**

# California Cigarette and Tobacco Products Licensing Act

- All sellers are required by law to be licensed—retailers, wholesalers, distributors, importers, manufacturers.

**Note:** As of January 1, 2017, electronic smoking devices such as e-cigarettes are defined as “tobacco products” for purposes of the state tobacco license requirement.



# LICENSE

- Apply for a license online ([www.boe.ca.gov/electsrv/ereg](http://www.boe.ca.gov/electsrv/ereg))
- Must have and display license before you can sell.
- Applications may take 7-10 days to process.
- Upon approval of your application, a BOE email is sent to you with your license and important related information.

MUST BE DISPLAYED CONSPICUOUSLY AT LOCATION ADDRESS FOR WHICH ISSUED

CALIFORNIA STATE BOARD OF EQUALIZATION  
CIGARETTE AND TOBACCO PRODUCTS LICENSING ACT OF 2003  
RETAILER'S LICENSE

LICENSE NUMBER: \_\_\_\_\_

BUSINESS MAILING ADDRESS: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

LOCATION ADDRESS: \_\_\_\_\_

THIS LICENSE HAS BEEN ISSUED TO YOU UNDER DIVISION 16.6 (COMMENCING WITH SECTION 22970) OF THE CALIFORNIA BUSINESS AND PROFESSIONS CODE.

NOT VALID AT ANY OTHER LOCATION ADDRESS.

IS HEREBY AUTHORIZED TO ENGAGE IN THE SALE OF CIGARETTES AND TOBACCO PRODUCTS.  
THIS LICENSE IS VALID FOR THE EFFECTIVE DATE OR UNTIL SUSPENDED, REVOKED, OR CANCELED, AND IS NOT TRANSFERABLE.  
FOR GENERAL TAX INQUIRIES PLEASE TELEPHONE OUR INFORMATION CENTER AT 800-808-7115.  
FOR INFORMATION ON YOUR RIGHTS, CONTACT THE TAXPAYERS RIGHTS ADVOCATE OFFICE AT 800-324-2798 OR 916-324-2798.  
BOE-442.R (REV. 2/8/07)

**A MESSAGE TO OUR LICENSE HOLDER**

As a retailer, you have certain rights and responsibilities under the Cigarette and Tobacco Products Licensing Act of 2003. In order to assist you in your endeavor and to better understand the law, we offer the following informational sources:

- The Cigarette and Tobacco Products Licensing Act of 2003 (and under Division 16.6 (commencing with section 22970) of the California Business and Professions Code;
- Our website at [www.boe.ca.gov](http://www.boe.ca.gov);
- Our toll-free Information Center at 800-800-3115.

As a retailer, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a Board representative when requested. In addition, you must keep the records on file at the location identified on your license for at least one year after the date of purchase. Specific requirements are set forth in the Cigarette and Tobacco Products Licensing Act of 2003.

You must notify us if you are buying, selling, adding a location, or discontinuing your business, adding or dropping a partner, officer, or member, or when you are moving any or all of your business locations. This license is valid only for the type of ownership and location specified on the license. A person who obtains a license as a retailer who ceases to do business, or who never commenced business, or whose license has been suspended or revoked, shall also notify the Board immediately by writing to the State Board of Equalization, Excise Taxes Division, P.O. Box 942879, Sacramento, CA 94279-0056 in order to make arrangements to surrender the license, or by giving the license to a Board representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with the Board, please contact the Taxpayers' Rights Advocate office for help by calling 888-324-2798 or 916-324-2798. Their fax number is 916-323-3319.

**License must be displayed at location address for which issued and must be visible to your customers.**

STATE BOARD OF EQUALIZATION  
Excise Taxes Division

- **License - beginning June 9, 2016:**

License Type	Old Application Fee (On or before June 8, 2016)	New Application Fee (On or After June 9, 2016)
Retailer	\$100 per location	\$265 per location
Wholesaler/Distributor	\$1,000 per location	\$1,200 per location

- **Annual Renewal Fee - beginning January 1, 2017:**

License Type	Old Renewal Fee (On or before December 31, 2016)	New Renewal Fee (On or After January 1, 2017)
Retailer	\$0	\$265 per location
Wholesaler/Distributor	\$1,000 per location	\$1,200 per location



- Annual fee is \$265 per location.
- A separate license is required for each location.
- New locations must be added to your seller's permit before a cigarette and tobacco product license can be activated for that location.
- Valid for 12 months and must be renewed annually.
- A license is not assignable or transferable.
- BOE tobacco license is separate from a local city or county tobacco license.

# Wholesaler or Distributor License

- To legally sell cigarettes and tobacco products to other retailers or wholesalers, you must have a Distributor or Wholesaler License (\$1,200 annual fee).
- A Retailer's cigarette and tobacco license allows you to make **only** retail sales to legal-aged consumers.
- For more information on obtaining a Distributor or Wholesaler License and its requirements, contact the Special Taxes & Fees Division at 1-800-400-7115.