

- WAC 314-35-030 Vapor product licensee recordkeeping requirements.** (1) Vapor product licensed locations must keep complete, legible and accurate records, including itemized invoices, at each place of business for that place of business of vapor products held, purchased, manufactured, brought into or caused to be brought into the state from outside the state, or shipped or transported to locations in Washington state, or sold. The required records must show:
- (a) The names and addresses of purchasers;
  - (b) The names and addresses of sellers;
  - (c) The inventory of all vapor product (to include the description of the product, size (mL), brand); and
  - (d) Other pertinent papers and documents relating to the purchase, sale, or disposition of vapor products.
- (2) Vapor product licensees must render with each sale of vapor products to persons other than ultimate consumers itemized invoices showing the seller's name and address, the purchaser's name and address, the date of sale, brand, size (mL), and all prices.
- (3) Vapor product licensees must obtain itemized invoices of all vapor products purchased. The invoices must show the seller's name and address, the date of purchase, brand, size (mL), and all prices and discounts.
- (4) Vapor product licensees must make all records available for inspection upon request of the board or its duly authorized agents or employees, and may not interfere with location inspection, record inspection, or both. The board or its duly authorized agents or employees may enter any vapor product licensed location at any time without a search warrant to inspect the premises for:
- (a) Required invoices as described in this section; and
  - (b) Regulated products contained in the licensed location.
- (5) All invoices, documents, or other records required under the provisions of this chapter must be legible, preserved, and retained for five years from the date of the invoices, documents, or other records at the place of the business where the vapor products are sold or stored.
- (6) Vapor product licensees must provide the board, any of its agents or employees free, unhindered access to the vapor product licensed location.
- (7) A licensed manufacturer with representatives who sell or distribute the manufacturer's vapor products must provide the board with a list of the names and addresses of all such representatives at an email address established by the board and maintained on the board's website. The licensed manufacturer must ensure that the list of representatives who sell or distribute its vapor products is kept current.
- (a) A manufacturer's representative is not authorized to distribute or sell vapor products unless the manufacturer holds a valid distributor's license under chapter 70.345 RCW; and
  - (b) A manufacturer's representative must carry a copy of the hiring distributor's license at all times when selling or distributing the manufacturer's vapor products.

[Statutory Authority: Chapter 70.345 RCW, RCW 82.24.250, 82.32.300, and 2019 c 15 and 2019 c 445. WSR 20-01-074, § 314-35-030, filed 12/11/19, effective 1/1/20. Statutory Authority: RCW 70.345.020 and 70.345.090. WSR 16-23-088, § 314-35-030, filed 11/16/16, effective 12/17/16.]