

**WAC 314-10-040 How old do employees have to be to sell and handle cigarettes or tobacco products?** (1) Any employee can sell and handle tobacco products when:

(a) The business has a cigarette retailer's license; or

(b) The business has registered with the department of revenue; and

(c) There is a supervising employee who is eighteen years of age or older on the retail premises.

(2) If someone under fourteen years of age is employed by a retailer, the retailer must comply with the requirements of the department of labor and industries under RCW 26.28.060 and WAC 296-125-018.

(3) Having an employee under eighteen years of age who handles and sells cigarettes and tobacco products according to subsections (1) and (2) of this section is not:

(a) Considered "possessing" cigarettes and tobacco products and is therefore not a violation of RCW 70.155.080(1); or

(b) Considered "giving" the employee cigarettes and tobacco products and is therefore not a violation of RCW 26.28.080.

[Statutory Authority: RCW 66.08.030. WSR 99-03-031, § 314-10-040, filed 1/13/99, effective 2/13/99; WSR 93-23-016, § 314-10-040, filed 11/5/93, effective 12/6/93.]