

Louisiana Office of Alcohol & Tobacco Control

Commissioner Juana Marine-Lombard



RESPONSIBLE VENDOR HANDBOOK

2016 EDITION

RESPONSIBLE VENDOR HANDBOOK AFFIDAVIT

Name of Owner: _____
(as listed on the alcohol permit)

Trade Name of Business: _____

Location Address: _____

Alcohol Permit Number: _____

I have received a copy of the Louisiana Responsible Vendor Handbook. I also understand that this handbook should be used as a reference tool only. Not all state and local rules and regulations are covered in this handbook.

Authorized Representative Name (Please Print)

Signature of Authorized Representative

Date

Agent (Notary) Signature

Date

TABLE OF CONTENTS

A Note from ATC	4
Definitions	5
Responsible Vendor Law	7
Vendor Responsibilities	9
Server and Security Personnel Responsibilities	10
Louisiana Laws on Serving Alcohol and Tobacco Products	11
Louisiana Laws on Serving Alcohol: Identification	12
How To Detect False Identifications	14
ATC Regulation of Alcohol and Tobacco Sales to Minors	136
What is Alcohol?	17
Effects of Alcohol on Your Body	19
Blood Alcohol Concentration	20
Alcohol and Medication	24
Alcohol and Driving Motor Vehicles	24
Sale of Alcohol to Intoxicated Persons	25
What is Tobacco?	27
Pathways of Tobacco	28
Effects of Tobacco on Your Body	29
Tobacco Sales: Signage and Vending Machines Requirements	30
FAQs	33
Appendix	35

A Note from ATC

Thank you for being a part of the alcoholic beverage industry. ATC knows that part of being a successful business or employee within the industry is understanding the laws that apply to you. The Responsible Vendor program is one of those laws. Created by the Louisiana Legislature in 1998, The Responsible Vendor program helps businesses and employees understand the responsibilities that go along with selling alcohol, tobacco products, alternative nicotine products and/or vapor products.

In this handbook, you will learn:

- The responsibilities of a Responsible Vendor business owner
- The responsibilities of a server
- The appropriate age to purchase alcohol in Louisiana
- The appropriate age to purchase tobacco products in Louisiana
- What types of identification customers can show to purchase alcohol/tobacco
- The effects of alcohol on the body and with medications
- Information on drinking while driving

ATC hopes this information is a helpful resource for your business. If you should have further questions after reviewing the handbook or at any time while you are engaged as a vendor or server in Louisiana, please contact our office or visit our website at www.atc.la.gov.

Alcohol in hands of underage youth is a threat to the public health and safety of our State. ATC will be conducting compliance checks at retail outlets across the State. Retailers and servers should educate themselves on asking for and reading customers' IDs.

Definitions

1.1 Definitions

The following terms have specific meanings for the purposes of the Responsible Vendor Program:

APPROVED PROVIDER: An individual, unincorporated association, partnership, or corporation approved by the program administrator to provide server or security personnel training courses.

COMMISSIONER: The Commissioner of the state Office of Alcohol and Tobacco Control.

PROGRAM ADMINISTRATOR: A committee of seven (7) persons that develops and administers the Responsible Vendor Program.

RESPONSIBLE VENDOR: Any vendor who qualifies and maintains certification in the Responsible Vendor Program.

SECURITY PERSONNEL: Any person other than a server who monitors the entrance and other areas of an establishment for purposes of identifying underage and intoxicated persons, enforcing establishment rules and regulations and otherwise providing security for the establishment and its customers where alcoholic beverages are the principle commodity sold for consumption on the premises.

“Security Personnel” shall not include persons employed by hotels or motels which consist of sleeping rooms, cottages, or cabins unless the person works primarily in an area on the licensed premises of a hotel or motel where the principle commodity sold is alcoholic beverages for consumption on the licensed premises.

SERVER:	Any employee of a vendor, other than security personnel, who is authorized to sell or serve beverage alcohol, tobacco products, alternative nicotine products, or vapor products in the normal course of his or her employment or deals with customers who purchase or consume beverage alcohol, tobacco or tobacco products.
SERVER PERMIT:	The permit issued to a server <u>or</u> security personnel upon completion of all required server or security personnel training and all refresher courses.
TOBACCO WHOLESALE DEALER:	Dealer whose principal business is that of a wholesaler, who sells cigarettes, cigars, or other tobacco products to retail dealers for purpose of resale, who is a bona fide wholesaler, and fifty percent or more of whose total tobacco sales are to retail stores other than its own or its subsidiaries within Louisiana. It includes any person in the state who acquires cigarettes solely for the purpose of resale in vending machines, provided such person services fifty or more cigarette vending machines in Louisiana other than his own, and a Louisiana dealer who was affixing cigarette and tobacco stamps as of January 1, 1974.
TRAINER:	An individual employed or authorized by an approved training provider to conduct an alcohol server education course wherein the successful completion of the course by the student will result in the issuance of a server permit.
VENDOR:	Any holder of one of the below state-issued permits: <ul style="list-style-type: none"> • Class A-General: ex. bars, nightclubs, lounges • Class A-Restaurant: Restaurants or other food-oriented establishments. • Class B: ex. grocery stores, convenience stores

Responsible Vendor Law

The server training courses shall include but not be limited to the following subject areas:

- Classification of alcohol as a depressant and its effect on the human body, particularly on the ability to drive a motor vehicle.
- Effects of alcohol when taken with commonly used prescription and nonprescription drugs.
- Absorption rate, as well as the rate at which the human body can dispose of alcohol and how food affects the absorption rate.
- Methods of identifying and dealing with underage and intoxicated persons, including strategies for delaying and denying sales and service to intoxicated and underage persons.
- State laws and regulations regarding the sale and service of alcoholic beverages for consumption on and off premises.
- Parish and municipal ordinances and regulations, including but not limited to the hours of operation, noise, litter, and other ordinances that affect the sale and service of alcoholic beverages for consumption on or off premises.
- State and federal laws and regulations related to the lawful age to purchase tobacco products and age verification procedures and requirements.
- The health risks and consequences associated with the consumption of tobacco products including but not limited to their addictive nature.
- For security personnel, the handling of disruptive customers and customer altercations.

A server or security personnel who violates alcohol or tobacco server law is subject to all of the following penalties:

- Suspension or revocation of their permit
- Monetary fine
- Criminal citations

A vendor who sells or serves to minors will not have its alcohol or tobacco permit revoked in the following instances:

- On a first sale of an alcoholic beverage by any server or security personnel to an underage or intoxicated person or the first illegal sale or service of a tobacco product by any server or security personnel to an underage person in any twelve-month period.
- On the first citation for consumption by a customer of alcoholic beverages on the premises of a Class "B" vendor in any twelve-month period, unless the vendor had knowledge of the violation, should have known about such violation, or participated in or committed such violation.

A vendor may not use as a defense the fact that he was absent from the licensed premises at the time a violation occurred if the violations are flagrant, persistent, repeated, or recurring.

ATC takes into consideration compliance with the responsible vendor program and other methods taken by business owners to prevent the sale of alcoholic beverages and tobacco products to persons under their respective legal ages.

Vendor Responsibilities

Q: I am one of the vendors defined in the program. What are my responsibilities?

A: As a Responsible Vendor, you must do all of the following to maintain your responsible vendor certification:

- Review and understand this handbook
- Provide ATC with a completed affidavit (page 2)
- Require all servers and security personnel to attend an approved server or security personnel training course within 45 days of the first day of employment. Server permits are valid for four years. You must ensure that all servers and security personnel attend refresher courses every four years.
- Pay an annual fee of \$50 per licensed establishment holding a Class A-General, Class A-Restaurant or Class B-Retail permit
 - This fee is assessed on all new and all renewal applications for retail dealers of alcoholic beverages and/or tobacco products
 - The fee funds the development and administration of the Responsible Vendor program
- Keep the handbook current (you may request updates from ATC)
- Provide new employees already Responsible Vendor certified with the rules and regulations applicable in the parish or municipality of your establishment's location
- Maintain server and security personnel training records, which **must** include the following information for **all** servers and security personnel:
 - Name of server
 - Date of birth
 - Social security number
 - Date of hire
- Keep a copy of the above server/security personnel records at your licensed premise **at all times** for inspection by ATC agents or other peace officers
- Post signs on the licensed premise informing customers of your policy against selling alcohol and/or tobacco products to underage persons

Server and Security Personnel Responsibilities

Q: I am employed as a server or as security for a vendor. What are my responsibilities under this program?

A: Servers and security personnel have the following responsibilities under the Responsible Vendor program:

- Complete an approved responsible vendor training course within 45 days of employment
 - Your RV card will be available on the ATC website 7-10 days after completion of the course. You may Print/Download your RV on our website at <http://atc.la.gov/print-your-rv-permit.php>
 - If you have an iPhone, iPad or Android device, please visit <http://atc.la.gov/atcrvapp/install.html> on your SMARTPHONE or Tablet to download the ATC RV App.

- Make your permit available for inspection immediately if asked by an ATC agent or other peace officer
 - Failure to make your permit available immediately for inspection could result in an administrative violation.

- Keep your responsible vendor server certification current
 - Your Responsible Vendor permit will expire on the last day of the month four years after the month that you completed the Responsible Vendor course
 - To renew, attend and pass an approved Responsible Vendor course

Louisiana Laws on Serving Alcohol and Tobacco Products

- Servers and sellers **may not serve or sell alcohol to an intoxicated person**
- The legal age to **purchase** alcohol in LA is **21**
 - This means that retailers can only sell alcohol to persons 21 or older. It is unlawful for persons under 21 to purchase alcohol.
 - It is legal for a licensed retailer under 21 to purchase alcohol from a wholesaler to stock his or her business.
 - Check with your employer to determine their policy and procedures for these sales.
- The legal age to **possess and consume** alcohol is **21**
 - Instances in which a person under 21 may possess or consume alcohol:
 - For an established religious purpose
 - Parents, spouses, or legal guardians may purchase alcoholic beverages for their children or spouse
 - Consult with your general manager for policies specific to your establishment for this situation
 - For medical purposes
 - In a private residence
 - Pursuant to lawful employment or ownership of a manufacturer, wholesaler or retailer of alcoholic beverages (POSSESSION ONLY)
- The legal age **to enter a bar** is **18**
 - Some parishes or cities may restrict the age limit to enter a bar to 21. Check with your manager to determine what the age of entry is at the establishment.
- The legal age to **purchase tobacco products** is **18**. There are no exceptions to this rule.
 - However, there are instances where a person under 18 may **only possess** tobacco products:
 - When a person under 18 is accompanied by a parent, spouse, or legal guardian 21 years or older;
 - In a private residence;
 - When the tobacco product is handled during the course and scope of his employment and required in the performance of such duties.
- The minimum age to prepare, sell or serve alcoholic beverages in a bar or restaurant is 18 years. Persons under the age of 18 are allowed to sell or serve alcoholic beverages under immediate supervision in a package store (where the sale or handling of alcoholic beverages does not constitute the main business). However, the employer must fill out an “Application to Employ Minors Under 18” form and return it to the Louisiana Workforce Commission.

Serving Alcohol and Tobacco: Identification

Forms of acceptable identification in Louisiana

- Customers must show one of the following when asked to present identification for service:
 - **State issued driver's license** from Louisiana or another state (including duplicates)
 - **Special identification card** from Louisiana or another state
 - **Passport or visa** issued by the federal government or another country or nation
 - **Military or federal ID** issued by the federal government
- All of the above forms of identification **must be current and valid and must include**
 - A picture of the person presenting the ID
 - Date of birth
- The above ID are **not valid** if they are:
 - Defaced
 - Expired
 - Altered

What Form of Identification is NOT Acceptable?

Louisiana has a special ID for persons under 21. The license is designed to help you, the server, know that the person cannot purchase alcohol/tobacco products.



This is the license of a person who is **UNDER 21**.

This license is vertically oriented (UP AND DOWN)

Look here to see when the person will be the appropriate age to purchase alcohol or tobacco products!

Identification policies should be established to decrease the chances that a minor will be served alcohol or tobacco. These policies should include:

- Refusing to sell to persons without a valid ID.
- Following set procedure when checking each ID:
 - Checking the expiration date of the ID;
 - Checking the birth date;
 - Checking the date the ID was issued;
 - Checking the photo or resemblance to the buyer; and
 - Checking the ID of everyone at the bar or counter to make sure everyone complies with the age restrictions.¹

Studies have shown that younger servers are less inclined to check identification and more likely to serve underage persons. Minimum age of sellers policies will help reduce the likelihood that underage persons will obtain alcohol or tobacco.²

¹ Preventing Youth Access to Alcohol from Commercial Sources, Center for Science in the Public Interest, Community Anti-Drug Coalitions of America, http://www.cspinet.org/booze/Youth_Access.pdf

²² Preventing Youth Access to Alcohol from Commercial Sources, Center for Science in the Public Interest, Community Anti-Drug Coalitions of America, http://www.cspinet.org/booze/Youth_Access.pdf

How To Detect False Identifications

There are three primary types of false identifications: 1. Borrowed or stolen IDs; 2. Altered IDs; and 3. Fake IDs.

BORROWED/STOLEN IDS: These are valid IDs used by a person other than the owner of the card. Commons signs that an individual may be presenting a borrowed or stolen ID:

- Presenter may pretend to be distracted by a phone call, text, or friend in order to avoid being scrutinized by the person checking the ID.
- Presenter may present additional forms of identification along with the borrowed/stolen ID, without being prompted to do so.

If you suspect that a borrowed/stolen ID is being presented, compare the physical descriptions on the card with the presenter's physical characteristics. You should compare the facial features, height, and eye color. Be sure to remember that hair and weight can change.

ALTERED IDS: These are valid IDs which have been manipulated to change critical information, such as the date of birth or the date the presenter will turn 21. To detect potentially altered IDs, look for the following physical characteristics on the card:

- Different types of fonts on the card;
- Smudging or bleeding of colors on the card;
- Raised spots or ridges on the cards;

Feeling the card will help identify differences in textures and spot an altered ID more easily.

FAKE IDS: These are false identifications that have been manufactured or computer generated. Commons signs that an individual may be presenting a fake ID:

- Often, fake IDs appear to be issued by a state **other** than where the ID will be used, hoping that the person checking the ID is unfamiliar with out-of-state IDs. For example, the presenter will tender a Texas ID to get into a bar in Louisiana. An ID reference guide can be purchased containing pictures of different version of IDs from every state, including foreign countries, as well as identifying the important security features to assist with identifying fake IDs. One such guide can be purchased at www.driverslicenseguide.com for \$23.95.
- Use a feel test. Genuine IDs are not layered and are made of durable plastic. As a result, genuine IDs do not unravel or buckle. Fake IDs are often made with inferior products and layered. Fake IDs buckle or begin to peel apart when manipulated. Bending the edge or attempting to peel apart the ID can improve the chances of identifying a fake ID.
- Compare security features. Holograms should flash in and out on a genuine ID. Look out for holograms that remain consistently illuminated, regardless of how much light is reflected on the card. This will indicate a fake ID. Also, be familiar with the holograms on Louisiana's license.

There are four images of the State of Louisiana. Any other hologram on a purported Louisiana license is evidence that it is a fake.

- Inspect both the front and back of the ID. Because often the maker of the fake ID does not put as much effort into the back, the back should be inspected as carefully as the front.
- Swipe the magnetic strip. If the ID is genuine, the magnetic strip, once swiped, should reveal information regarding the presenter's age, date of birth, etc. Most fake IDs, even high quality fake IDs, will fail to recognize the ID or return a message that the ID cannot be verified when the magnetic strip is swiped.

ATC Regulation of Alcohol and Tobacco Sales to Minors

Alcohol use by young people is the most serious drug problem facing our nation and our state. Alcohol kills more young people than all illicit drugs combined, is a factor in the three leading causes of death among 15-24 year olds and is a gateway drug to other drugs.³

ATC is committed to preventing underage access to alcohol and tobacco products. ATC enforces the prohibition against selling alcohol to minors by frequently conducting **compliance checks**. A compliance check is an unannounced inspection by ATC agents to determine if an establishment, employees, and customers are complying with alcohol and tobacco laws.

There are many mechanisms by which an establishment can be selected for a compliance check. The most common method is being selected in a random sample of all permit holders. Another way establishments are selected is in response to complaints received by ATC concerning alleged illegal activity.

If a business or its employee fails a compliance check, the business or employee will be issued a **citation** by an agent. The citation indicates the date and time of the offense, who committed the violation, and the date on which a hearing will be set.

At least 10 days prior to the hearing, you will receive a **notice of fine or summons**. The notice will direct you to either pay a fine prior to the hearing or appear and contest the fine. When you “contest” a fine, it means you disagree with the issuance of the citation and want to challenge the penalty. When you pay the fine prior to the hearing, you are admitting guilt and agreeing to the penalty.

It is not a defense to a citation that a vendor was absent from the licensed premises at the time that a violation occurred, if the violation was flagrant, persistent, repeated, or recurring.

For detailed Louisiana alcohol-related accidents and injury statistics, please visit <http://datareports.lsu.edu/>.

³ Preventing Youth Access to Alcohol from Commercial Sources, Center for Science in the Public Interest, Community Anti-Drug Coalitions of America, http://www.cspinet.org/booze/Youth_Access.pdf

What is Alcohol?

Alcohol is produced by yeast cells acting upon carbohydrates in fruits and grains. It mixes quickly and easily with water and is also referred to chemically as ethanol or ethyl alcohol, which is the agent in beverage alcohol.

The three types of beverage alcohol are:

- 1. Beer** Fermented from grains; 3-6% alcohol
- 2. Wine** Fermented from fruits; 12-14% alcohol ordinarily 18-20% for dessert or fortified wines
- 3. Distilled Spirits** Made from boiled-off alcohol and contains 40-90% alcohol. Distilled spirit alcohol content is expressed as **proof**, which is approximately double the percentage of pure alcohol.

One standard drink contains about 0.6 fluid ounces or 14 grams of pure alcohol. A standard drink will contain approximately the following amounts:ⁱ

12 oz. Regular Beer



About 5% alcohol

8-9 oz. malt liquor



About 7% alcohol

5 oz. wine



About 12% alcohol

1.5 oz. shot "hard liquor"
Whiskey, rum, gin, vodka etc.



About 40% alcohol

Pathways of Alcohol

How does alcohol effect the body? This diagram shows you what happens to a drink after it is swallowed.

1 Stomach

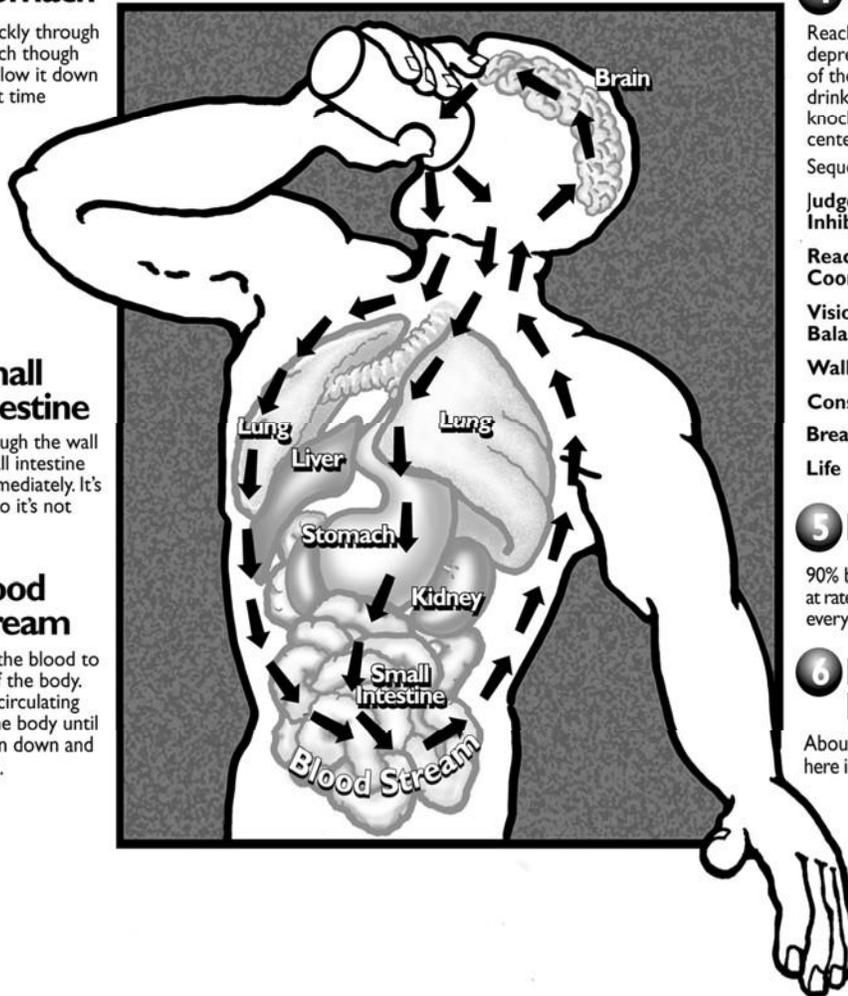
Passes quickly through the stomach though food can slow it down for a short time

2 Small Intestine

Goes through the wall of the small intestine almost immediately. It's not food so it's not digested.

3 Blood Stream

Travels in the blood to all parts of the body. Keeps on circulating through the body until it is broken down and eliminated.



4 Brain

Reaches into and depresses certain areas of the brain. Added drinks reach deeper knocking out control centers one by one. Sequence is:

Judgement, Inhibitions

Reaction Time, Coordination

Vision, Speech, Balance

Walking, Standing

Consciousness

Breathing, Heartbeat
Life

5 Liver

90% broken down here at rate of about 1/2 ounce every hour

6 Lung & Kidneys

About 10% eliminated here in breath and urine.

Effects of Alcohol on Your Body

Alcohol affects every organ in the body. It is a central nervous system **depressant** that is rapidly absorbed from the stomach and small intestine into the bloodstream. Alcohol is metabolized (absorbed) in the liver by enzymes; however, the liver can only metabolize a small amount of alcohol at a time, leaving the excess alcohol to circulate throughout the body. The intensity of the effect of alcohol on the body is directly related to the amount consumed.⁴

Brain: Alcohol interferes with the brain's communication pathways and can affect the way the brain looks and works. These disruptions can change mood and behavior and make it harder to think clearly and move with coordination.

Heart: Drinking a lot over a long time period of time or too much on a single occasion can damage the heart, causing problems like stretching or drooping of heart muscle, irregular heartbeat, stroke, and high blood pressure.

Research also shows that drinking moderate amounts of alcohol may protect healthy adults from developing coronary heart disease.

Liver: Heavy drinking takes a toll on the liver, and can lead to a variety of problems and liver inflammations including fatty liver disease, alcoholic hepatitis, fibrosis or cirrhosis of the liver (where healthy liver tissue is replaced by scar tissue)

Pancreas: Alcohol causes the pancreas to produce toxic substances that can eventually lead to pancreatitis, a dangerous inflammation and swelling of the blood vessels in the pancreas that prevents proper digestion.

Cancer: Drinking too much alcohol can increase your risk of developing certain cancers, including cancers of the mouth, esophagus, throat, liver, and breast.

Other: Drinking too much can weaken your immune system, making your body a much easier target for disease. Chronic drinkers are more liable to contract diseases like pneumonia and tuberculosis than people who do not drink too much. Drinking a lot on a single occasion slows your body's ability to ward off infections – even up to 24 hours after getting drunk.⁵

⁴ <http://www.cdc.gov/alcohol/faqs.htm#howAlcoholAffect>

⁵ <http://www.niaaa.nih.gov/alcohol-health/alcohols-effects-body>

Blood Alcohol Concentration

BAC or **Blood Alcohol Concentration** is a measurement of the level of alcohol in the bloodstream. The BAC is measured in milligrams of alcohol per 100 milliliters of blood, or milligrams percent. For instance, a BAC of .10% means of concentration of one drop of alcohol per 1,000 drops of blood.

BAC levels may be determined by taking a blood sample to measure the alcohol concentration. A second, and more common, method is to measure the concentration of alcohol in expired air (breath), using a Breathalyzer device. Approximately 2% of alcohol ingested is excreted directly in the breath. Because this rate is so constant, the amount of alcohol in the bloodstream can be approximated by measuring the amount of alcohol present in a sample of expired air from the lungs.

BAC level can only be approximated because of the many factors that affect the rate at which alcohol is absorbed into the bloodstream and then metabolized in the body:

Body Weight & Size

A larger person can absorb more alcohol because the alcohol is passing through a larger cell mass and has more blood for dilution. An exception would be very heavy (obese) people who feel the alcohol more because fatty tissue cannot dissolve its share of alcohol (low water content of the tissue).

Food

Eating food while drinking alcohol slows down absorption by delaying the opening of the stomach (pyloric valve). There is also a competition factor: when alcohol is competing with bigger, more assertive food molecules for passage through the membranes of the stomach and small intestine, it can lose. Eating a meal before drinking may reduce the peak alcohol level by as much as 50%. The best foods to consume are fatty foods and those high in protein. Examples are milk, cream, eggs, cheeses, meats, shellfish, nuts, fried foods, pizza and hot dogs.

These foods delay the effect of drinking by staying in the stomach longer as opposed to foods high in carbohydrates which are rapidly digested and which can actually accelerate the absorption of the alcohol. Examples include pasta, bread, rice and pretzels.

Rate of Consumption

The more slowly alcohol is consumed, the less effect it has because the body is working steadily to remove it.

Rate of Metabolism & Elimination

Oxygen from air breathed combines with alcohol in the body to form new compounds and release energy. One gram of alcohol produces about seven calories and an ounce of whiskey yields about 75 calories. These are often called “empty” or “naked” calories since they do not provide vitamins, minerals or other nutrients. Alcohol is converted to acetaldehyde, a substance more toxic than ethyl alcohol, which the body quickly converts to a form of acetate that is practically harmless. This is then oxidized to become carbon dioxide and water (this oxidation process is what “detoxifies” alcohol). The enzymes used to do this are produced in the liver (alcohol dehydrogenase). The faster alcohol is eliminated from the body, the less effect it has and the less harm it does.

As mentioned earlier, alcohol continues to affect the brain as long as it remains in the bloodstream. Once drinking stops, the effective concentration of alcohol in the blood is decreased slightly each time the blood passes through the liver, where alcohol is metabolized, or broken down and burned. The blood completes one cycle of circulation through the body about every three minutes. Only a small portion of alcohol (5%) is eliminated in the urine, breath, saliva and sweat; more than 90% must be metabolized in the liver. This process happens at a relatively standard rate of 1 oz. per hour for the average man, though this may be affected by the size and condition of the liver. This translates to a 12-oz. beer, a 5-6-oz. glass of wine, 1¼ oz. of 80 proof-whiskey or 1 oz. of 100 proof liquor that can be metabolized or eliminated per hour.

The liver is the largest organ in the body and is known as the body’s refinery. Since everything leaving the stomach and intestines must pass through it going to other parts of the body, rate of metabolism can be appreciably slowed by a lack of stored sugar in the liver (which occurs with fasting). Not eating before drinking not only speeds up absorption of alcohol in the blood but also results in a higher level of intoxication that also lasts longer. Problem drinkers will intentionally drink fast to “get more bang from the buck” for this reason. There is no effective way to speed up alcohol metabolism once intoxication has occurred.

Gender

The stomach lining in women is less effective in neutralizing alcohol. A deficiency of dehydrogenase, the enzyme that metabolizes alcohol in the stomach, allows alcohol to pass through the stomach and into the bloodstream, causing a more rapid increase in BAC. Females also generally have a higher proportion of body fat than men do. For the same reason that obese people can feel the effects of alcohol more rapidly, so can women. The alcohol is more readily soluble in water than fat, so the higher fat content retards the metabolizing process.

Tolerance

Experienced drinkers take longer to feel the effects of alcohol. The more they drink, the more they are able to drink without incapacitating intoxication. Tolerance is the need for progressively higher doses of alcohol to induce greater effects. A social drinker consuming 2-4 drinks per day can develop a tolerance for alcohol within days or weeks.

Fitness of the Consumer

Persons with large amounts of body fat will have higher BAC levels than lean individuals and the elderly or chronically ill may have more trouble metabolizing and thus eliminating the alcohol. You can't drink as much as you get older because the body can't handle it and it generally takes less alcohol to get the same effect (the opposite of tolerance). Also, the effect of medications can be detrimental in this metabolizing process.

Emotional State

A depressed or anxious person can have a totally different reaction to alcohol, both physiological and emotional, than a happy, relaxed individual.

STAGES OF INTOXICATION RELATED TO BAC LEVELS

Expected BAC's for a 150 pound healthy male on an empty stomach

.05 BAC	2 to 3 drinks	louder, more outgoing
.10 BAC	4 to 5 drinks	judgment affected
.20 BAC	8 drinks	appears drunk, reaction time/coordination affected
.30 BAC	12 drinks	can't walk, can't button coat, may fall asleep at bar

HOW TO ESTIMATE BAC'S

Men									
	Approximate Blood Alcohol Percentage								
Drinks	Body Weight in Pounds								
	100	120	140	160	180	200	220	240	
1	.04	.03	.03	.02	.02	.02	.02	.02	Impairment Begins
2	.08	.06	.05	.05	.04	.04	.03	.03	Driving Skills Significantly Affected Possible Criminal Penalties
3	.11	.09	.08	.07	.06	.06	.05	.05	
4	.15	.12	.11	.09	.08	.08	.07	.06	Legally Intoxicated
5	.19	.16	.13	.12	.11	.09	.09	.08	
6	.23	.19	.16	.14	.13	.11	.10	.09	Legally Intoxicated
7	.26	.22	.19	.16	.15	.13	.12	.11	
8	.30	.25	.21	.19	.17	.15	.14	.13	Additional Criminal Penalties
9	.34	.28	.24	.21	.19	.17	.15	.14	
10	.38	.31	.27	.23	.21	.19	.17	.16	

Women										
	Approximate Blood Alcohol Percentage									
Drinks	Body Weight in Pounds									
	90	100	120	140	160	180	200	220	240	
1	.05	.05	.04	.03	.03	.03	.02	.02	.02	Impairment Begins
2	.10	.09	.08	.07	.06	.05	.05	.04	.04	Driving Skills Significantly Affected and Possible Criminal Penalties
3	.15	.14	.11	.10	.09	.08	.07	.06	.06	
4	.20	.18	.15	.13	.11	.10	.09	.08	.08	Legally Intoxicated
5	.25	.23	.19	.16	.14	.13	.11	.10	.09	
6	.30	.27	.23	.19	.17	.15	.14	.12	.11	Legally Intoxicated
7	.35	.32	.27	.23	.20	.18	.16	.14	.13	
8	.40	.36	.30	.26	.23	.20	.18	.17	.15	Additional Criminal Penalties
9	.45	.41	.34	.29	.26	.23	.20	.19	.17	
10	.51	.45	.38	.32	.28	.25	.23	.21	.19	

Alcohol and Medication

Mixing alcohol and medicines can be harmful. Alcohol, like some medicines, can make you sleepy, drowsy, or lightheaded. Drinking alcohol while taking medicines can intensify these effects. You may have trouble concentrating or performing mechanical skills. Small amounts of alcohol can make it dangerous to drive, and when you mix alcohol with certain medicines you put yourself at even greater risk. Combining alcohol with some medicines can lead to falls and serious injuries, especially among older people. See table 1 in the appendix for a list of medications that are affected by alcohol.⁶

Alcohol and Driving Motor Vehicles

Louisiana has exceeded the national average for the percent of alcohol-related fatal crashes from 2003 through 2007⁷. **Alcohol affects driving as soon as the first drink is taken.**

Drinking alcohol can cause mental impairments related to driving that last even after all traces of alcohol are out of the body. Mental efficiency is reduced during sober periods following bouts of drinking, not only for alcoholics but also for social drinkers who drink large quantities of alcohol at one time.

How Alcohol can Affect a Driver

- Reduces the ability to judge speeds, distances and angles
- Encourages the driver to take foolish risks, break laws
- Makes the driver forget to fasten a seatbelt, turn on headlights, use turn signals, observe signs
- Slows reaction time in stopping and turning
- Limits vision; eyes become blurred, can't focus
- Reduces ability to judge one's own condition
- Causes sleepiness
- Increases anger toward other drivers

The cost of alcohol-related crashes to the citizens of Louisiana was 1.3 billion dollars in the year 2008. This is equivalent to a tax to every licensed driver in the state of Louisiana in the amount of \$454 per year.

A Blood Alcohol Content (BAC) of 0.08 percent or more by body weight will result in a charge of operating a vehicle while intoxicated (sometimes referred to DUI/DWI). If the driver is under 21, that limit is 0.02.⁸ If a child 12 years or younger is a passenger in a vehicle where the driver

⁶ <http://pubs.niaaa.nih.gov/publications/Medicine/medicine.htm>

⁷ http://www.lahighwaysafety.org/pdf/2009_impaired_driving.pdf

⁸ <http://www.legis.state.la.us/lss/lss.asp?doc=78751>

is charged with DWI the minimum mandatory sentence for 1st -3rd DWI conviction shall not be suspended and for 4th DWI conviction at least two years of the sentence shall be imposed without benefit of suspension⁹.

Offer Alternatives to Driving to Intoxicated Customers

Arrange for a taxi if the customer is driving himself. Ask a sober friend to drive the person home. Offer the customer something to eat or a non-alcoholic beverage to drink. If the person insists on driving, call the police with a description of the vehicle and license plate number if the person leaves before the police arrive. Never physically detain a customer.

Sale of Alcohol to Intoxicated Persons

Remember: sellers and servers cannot sell or serve alcohol to an intoxicated person. As a server, you should always assess the nature and magnitude of a person's condition prior to selling to or serving that person. Consequently, server intervention could play a very important role in reducing drunk-driving accidents. While the liability for injuries caused by driving under the influence of alcohol lies primarily with intoxicated drivers themselves, that is not the case for serving alcohol to minors. **You may be responsible for injuries caused by a minor to whom you serve alcohol illegally.**

The following are behavioral signs of intoxication that servers should observe when determining whether to continue to serve an individual:

1. Lessened inhibitions (increased lack of restraint in social settings)
2. Impaired judgment
3. Slow reactions
4. Decreased coordination
5. You may also notice slurred speech, glassy eyes, strong smell of alcohol, and exaggerated emotional outbursts. They may also have trouble walking or making decisions, and may annoy other customers.

If you have any doubts about whether a person is intoxicated **you must refuse to sell alcohol to them.**

Refusing Entry

Intoxicated persons should not be allowed to enter your establishment under any circumstances, short of physical confrontation. If a customer insists on re-entry and the door

⁹ <http://www.lahighwaysafety.org/impaired.html>

person feels a physical confrontation will ensue, admit the party and either call the police or security, whichever is applicable.

Terminating Service

An employee who thinks a customer is intoxicated should cease serving the customer immediately and inform the manager. Company policy should dictate whether an employee is permitted to terminate service or if this decision is a management function.

If the decision to cease service to a customer is an employee function and the customer in question attempts to order more drinks, the employee should acknowledge the order, but immediately get the manager to visit the table. The manager should introduce himself, with title, and be friendly, yet firm. When the decision is made to cease serving the customer, managers should back up the decision of their staff members, regardless of who the customer might be.

When terminating service, staff or management should always remain calm. Avoid antagonizing the customer with statements like, "You've had way too much to drink," or, worse, "I can't serve you – you're drunk." Instead, let the customer know that your job and license would be at risk if you served another drink and that you are doing this for his own safety.

When dealing with a person who is "out of control," the psychological message to give the customer is one of control. If the customer becomes offended or argumentative, don't attempt to reason with him. If the customer becomes belligerent or physically threatening, get assistance from other staff or security personnel.

What is Tobacco?

Tobacco is an agricultural crop that is most commonly used to make tobacco products such as cigarettes, cigars, and smokeless tobacco. The primary ingredient in tobacco is a stimulant known as nicotine, a highly addictive substance. Tobacco products are typically consumed by smoking, though tobacco may also be chewed.

A typical cigarette contains more than 600 ingredients, and when burned, creates over 4,000 chemicals.

Cigarette



Finely ground tobacco leaves wrapped in paper

Cigar



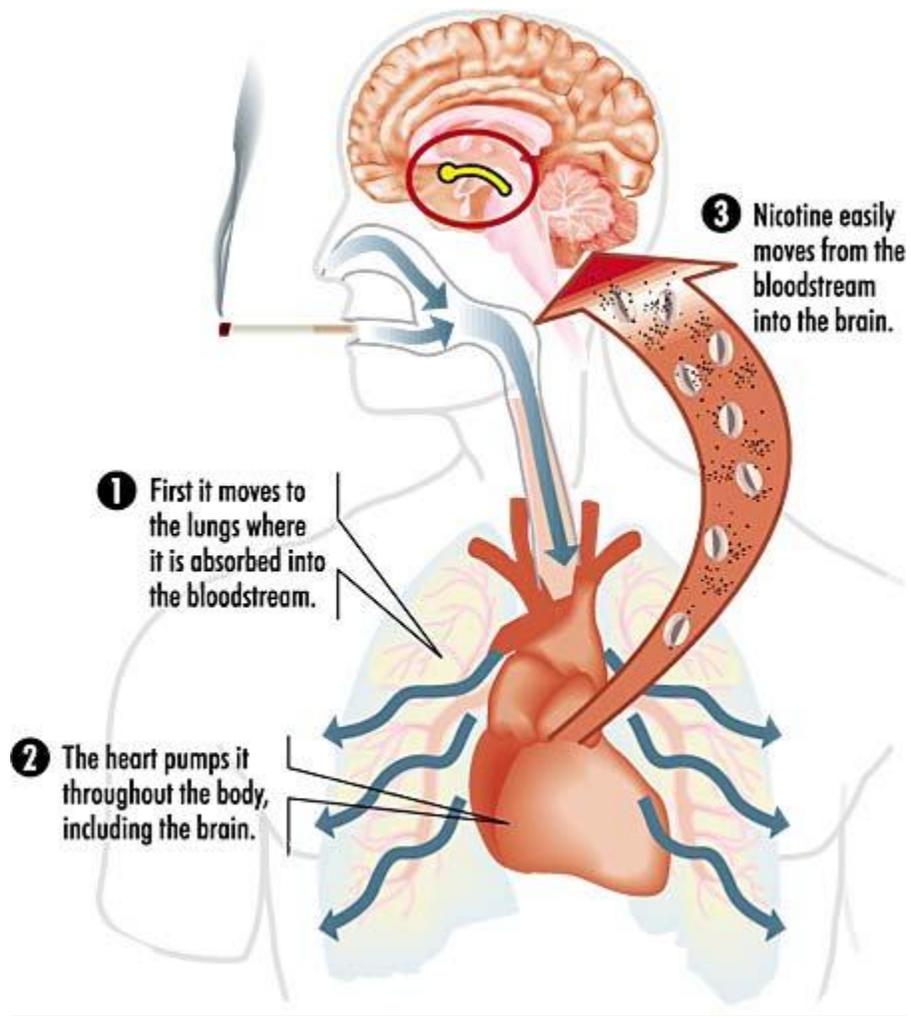
Tightly rolled bundle of tobacco, wrapped in leaves

Smokeless Tobacco



Loose leaves of tobacco packaged in a container

Pathways of Tobacco



When tobacco is inhaled, the nicotine contained in the smoke is pulled into the user's lungs and absorbed in the bloodstream. It takes approximately 8 seconds for nicotine to reach the brain. Once nicotine reaches the brain, it attaches to several receptors in the brain, which result in immediate physical and physiological effects in the user's body.

Effects of Tobacco on Your Body

Short-term effects:

When nicotine enters the body, it elevates the user's heart rate and blood pressure, constricts blood vessels, irritates lung tissue, and diminishes the user's ability to taste and smell. The rise in heart rate and blood pressure from smoking a cigarette may cause the user to feel more energetic. Cigarettes are also known to decrease appetite and boost mood, typically leaving the user with a sense of well-being shortly after inhalation.

Long-term effects:

Brain: When a long-term user of tobacco attempts to quit, he or she will typically experience withdrawal symptoms. Withdrawal symptoms may also occur a few hours after a chronic user last used tobacco. Symptoms of withdrawal include irritability, attention difficulties, anxiety, depression, headaches, sleep complications, and powerful cravings for tobacco.

Heart: Tobacco use has many adverse effects on the heart, including hypertension (high blood pressure), heart attacks, blocked blood vessels, coronary heart disease, congestive heart failure (ineffective pumping of the heart that leads to the accumulation of fluid in the lungs), and strokes.

Lungs: Chronic bronchitis can often result from prolonged tobacco use. This disease changes the size and shape of the lung's airways, enlarges the mucous glands, and causes coughing and the production of excess phlegm. Smoking is also the leading cause of emphysema, a lung condition in which the lung's airspaces experience an abnormal increase, resulting in breathing difficulties and increased susceptibility to infection.

Cancer: Prolonged tobacco use can result in cancer in many different part of the user's body. Cancer may develop in: the lungs, mouth, larynx, throat, stomach, pancreas, kidney, bladder, or cervix.

Reproduction: Smoking may result in abnormal sperm cells, impotence, difficulty maintaining pregnancy, or menstrual disorders and early menopause.

Other: Prematurely wrinkled skin, permanent gum and tooth loss, lost or weakened sense of taste, weakened immune system, stomach ulcers, and unwanted weight loss are other common long-term effects of tobacco use.

Tobacco Sales: Signage and Vending Machines Requirements

Vending Machines

In order to prevent persons under eighteen years of age from purchasing or receiving tobacco products, alternative nicotine products or vapor products from vending machines, the sale or delivery of such products through a vending machine is prohibited unless either:

1. The machine is located in an establishment to which persons under the age of eighteen are denied access; or
2. The machine is located in facilities where the dealer ensures that no person younger than eighteen years of age is present or permitted to enter at any time and the machine is located within the unobstructed line of sight of a dealer or a dealer's agent or employee who is responsible for preventing persons younger than eighteen years of age from purchasing tobacco products, alternative nicotine products, or vapor products through that machine.

Signage Requirement (La R.S. 14:91.8)

It is unlawful for a vending machine operator to place in use a vending machine to vend any tobacco product, alternative nicotine products or vapor products automatically, unless the machine displays a sign or sticker in not less than 22-point type on the front of the machine stating, "LOUISIANA LAW PROHIBITS THE SALE OF TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR VAPOR PRODUCTS TO PERSONS UNDER AGE 18", OR WORDS OF SIMILAR MEANING.

Penalty – Failure to Comply with Signage Requirements

A violation of the signage requirement (for vending machines) shall be deemed to be a violation by the owner of the vending machine.

For the first such violation, the owner shall be fined not more than fifty dollars. The penalties for subsequent violations shall be a fine of not more than one hundred dollars for the second violation, a fine of not more than two hundred fifty dollars for the third violation, and a fine of not more than five hundred dollars for any violation thereafter.

Prohibited Acts with Respect to [Tobacco, Alternative Nicotine and Vapor](#) Product Sales (Title 26:911)

No person, agent, associate, employee, representative, or servant of any person shall permit any of the following acts to be done on or about any premises which sells or offers for sale tobacco products, alternative nicotine products, or vapor products:

1. Sell or serve tobacco products, alternative nicotine products, or vapor products over-the-counter in a retail establishment to any person under the age of eighteen unless such person submits a driver's license, selective service card, or other lawful identification which, on its face establishes the age of the person as eighteen years or older and there is no reason to doubt the authenticity or correctness of the identification.
2. Violate the "Prevention of Youth Access to Tobacco" law, under La. R.S. 14:91.6 and La. R.S. 14:91.8.
3. No wholesale dealer shall sell to a retail dealer and no retail dealer shall sell to the public single cigarettes.
4. No individual package of cigarettes shall be sold or distributed in individual packages containing fewer than twenty cigarettes.
5. No smoking tobacco intended for use as roll-your-own smoking tobacco for cigarettes shall be sold or distributed in individual packages containing less than six-tenths of one ounce of smoking tobacco.
6. No cigarette or smokeless tobacco product shall be sold to the public except in an unopened package originating with the manufacturer, bearing the health warning required by federal law, and evidencing that the applicable tax under Chapter 8 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 has been paid.
7. No retail dealer shall purchase tobacco products for resale except from a wholesale dealer.
8. No wholesale dealer shall sell tobacco products for resale except to a retail dealer.

9. Any tobacconist at a particular retail outlet may purchase tobacco products for such retail outlet from any manufacturer, wholesale dealer, or other supplier.

“Tobacconist at a particular outlet” means a retail dealer engaged in receiving bulk smoking tobacco for the purpose of blending such tobacco for retail sale at a particular retail outlet where fifty percent or more of the total purchases for the preceding twelve months were purchases of tobacco products, excluding cigarettes.

Additional Penalties (for violation of 26:910 and 26:911)

Notwithstanding any other provisions of this Chapter to the contrary, the commissioner may, in lieu of or in addition to revocation or suspension of a permit issued under the authority of this Chapter, impose the following schedule of fines to be paid into the state treasury:

1. For a first offense, not less than fifty dollars but not more than five hundred dollars.
2. For a second offense, which occurs within two years of the first offense, not less than two hundred fifty dollars, but not more than one thousand dollars.
3. A third offense, which occurs within two years of the first offense, not less than five hundred dollars but not more than two thousand five hundred dollars.

FAQs

Q: Who is required to have a responsible vendor permit?

Any employee of an alcoholic beverage or tobacco dealer who is authorized to sell or serve alcoholic beverages or tobacco products, alternative nicotine products, or vapor products or who deals with customers who purchase or consume alcoholic beverages or tobacco products must obtain a responsible vendor permit within 45 days of employment.

Q: Does the owner of an alcoholic beverage or tobacco outlet required to have a responsible vendor permit?

No, owners are not required to obtain a responsible vendor permit. However, owners who sell or serve alcoholic beverages or tobacco products to persons under the legal age face maximum penalties.

Q: Where can I take a responsible vendor course?

A: Responsible vendor courses are provided across the state at class room locations and are also available online. Information on available responsible vendor courses is available on our website under “permits” then “responsible vendor.”

Q: How/where do I obtain my responsible vendor permit?

A: Responsible vendor permits are available on our website under “permits” then “responsible vendor” then “print/download your RV permit.”

Q: I’ve lost my responsible vendor card, what do I do?

A: You can obtain a replacement responsible vendor permit on our website under “permits” then “responsible vendor” then “print/download your RV permit.”

Q: How long is my responsible vendor permit good for?

A: Responsible vendor permits expire every four years on the last day of the month in which you took the responsible vendor course.

Q: I have a Louisiana responsible vendor card. Do I need a Parish card?

A: Any vendor or server subject to a local ordinance requiring participation by the vendor or its employees in a server or security personnel training or licensing program shall be exempt from the local server training and licensing regulation if the vendor is certified as a responsible vendor under the provisions of the State law. However, this does not apply to any local seller or server licensing regulations or ordinances that were in effect on June 1, 1997. Please check with your local licensing authority for additional information.

Q: If I send my employees to a responsible vendor class and they still sell to minors, am I responsible?

A: In this scenario, the business would receive a warning for the first violation. The business would receive a citation for any additional violations within a three year period. However, when assessing penalties to permit holders, ATC takes into consideration compliance with the responsible vendor program and other methods taken by business owners to prevent the sale of alcoholic beverages and tobacco products to person under the legal drinking age.

Q: If I pay for my employees to attend a responsible vendor class, do their permits belong to me?

A: No, responsible vendor permits belong to the servers who took the class.

Q: How long do my employees have to obtain a responsible vendor server or security personal permit?

A: Within 45 days of commencement of employment.

Appendix

Table 1

Symptom/Disorders	Medication (Brand name)	Medication (Generic name)	Some possible reactions with alcohol
Allergies/Colds/Flu	• Alavert®	Loratadine	Drowsiness, dizziness; increased risk for overdose
	• Allegra®, Allegra-D®	Fexofenadin	
	• Benadryl®	Diphenhydramine	
	• Clarinex®	Desloratadine	
	• Claritin®, Claritin-D®	Loratadine	
	• Dimetapp® Cold & Allergy	Brompheniramine	
	• Sudafed® Sinus & Allergy	Chlorpheniramine	
	• Triaminic® Cold & Allergy	Chlorpheniramine	
	• Tylenol® Allergy Sinus	Chlorpheniramine	
	• Tylenol® Cold & Flu	Chlorpheniramine	
	• Zyrtec®	Cetirizine	
Angina (chest pain), coronary heart disease	• Isordil®	Isosorbide	Rapid heartbeat, sudden changes in blood pressure, dizziness, fainting
		Nitroglycerin	
Anxiety and epilepsy	• Ativan®	Lorazepam	Drowsiness, dizziness; increased risk for overdose; slowed or difficulty breathing; impaired motor control; unusual behavior; and memory problems
	• Klonopin®	Clonazepam	
	• Librium®	Chlordiazepoxide	
	• Paxil®	Paroxetine	
	• Valium®	Diazepam	
	• Xanax®	Alprazolam	

	• Herbal preparations (Kava Kava)		Liver damage, drowsiness
Arthritis	• Celebrex®	Celecoxib	Ulcers, stomach bleeding, liver problems
	• Naprosyn®	Naproxen	
	• Voltaren®	Diclofenac	
Blood clots	• Coumadin®	Warfarin	Occasional drinking may lead to internal bleeding; heavier drinking also may cause bleeding or may have the opposite effect, resulting in possible blood clots, strokes, or heart attacks
Cough	• Delsym®, Robitussin Cough®	Dextromethorpan	Drowsiness, dizziness; increased risk for overdose
	• Robitussin A-C®	Guaifenesin + codeine	
Depression	• Anafranil®	Clomipramine	Drowsiness, dizziness; increased risk for overdose; increased feelings of depression or hopelessness in adolescents (suicide)
	• Celexa®	Citalopram	
	• Desyre®	Trazodone	
	• Effexor®	Venlafaxine	
	• Elavil®	Amitriptyline	
	• Lexapro®	Escitalopram	
	• Luvox®	Fluvoxamine	
	• Norpramin®	Desipramine	
	• Paxil®	Paroxetine	
	• Prozac®	Fluoxetine	
	• Serzone®	Nefazodone	
	• Wellbutrin®	Bupropion	
	• Zoloft®	Sertraline	
	• Herbal preparations (St. John's Wort)		
Diabetes	• Glucophage®	Metformin	Abnormally low blood sugar levels, flushing reaction (nausea, vomiting, headache, rapid heartbeat, sudden changes in blood pressure)
	• Micronase®	Glyburide	
	• Orinase®	Tolbutamide	
Enlarged prostate	• Cardura®	Doxazosin	Dizziness, light headedness, fainting
	• Flomax®	Tamsulosin	
	• Hytrin®	Terazosin	
	• Minipress®	Prazosin	

Heartburn, indigestion, sour stomach	• Axid®	Nizatidine	Rapid heartbeat, sudden changes in blood pressure (metoclopramide); increased alcohol effect
	• Reglan®	Metoclopramide	
	• Tagamet®	Cimetidine	
	• Zantac®	Ranitidine	
High blood pressure	• Accupril®	Quinapril	Dizziness, fainting, drowsiness; heart problems such as changes in the heart's regular heartbeat (arrhythmia)
	• Capozide®	Hydrochlorothiazide	
	• Cardura®	Doxazosin	
	• Catapres®	Clonidine	
	• Cozaar®	Losartan	
	• Hytrin®	Terazosin	
	• Lopressor® HCT	Hydrochlorothiazide	
	• Lotensin®	Benzapril	
	• Minipress®	Prazosin	
	• Vaseretic®	Enalapril	
High cholesterol	• Advicor®	Lovastatin + Niacin	Liver damage (all medications); increased flushing and itching (niacin), increased stomach bleeding (pravastatin + aspirin)
	• Altocor®	Lovastatin	
	• Crestor®	Rosuvastatin	
	• Lipitor®	Atorvastatin	
	• Mevacor®	Lovastatin	
	• Niaspan®	Niacin	
	• Pravachol®	Pravastatin	
	• Pravigard™	Pravastatin + Aspirin	
	• Vytorin™	Ezetimibe + Simvastatin	
	• Zocor®	Simvastatin	
Infections	• Acrodantin®	Nitrofurantoin	Fast heartbeat, sudden changes in blood pressure; stomach pain, upset stomach, vomiting, headache, or flushing or redness of the face; liver damage (isoniazid, ketokonazole)
	• Flagyl®	Metronidazole	
	• Grisactin®	Griseofulvin	
	• Nizoral®	Ketokonazole	
	• Nydrazid®	Isoniazid	
	• Seromycin®	Cycloserine	
	• Tindamax®	Tinidazole	
Muscle pain	• Flexeril®	Cyclobenzaprine	Drowsiness, dizziness; increased

	• Soma®	Carisoprodol	risk of seizures; increased risk for overdose; slowed or difficulty breathing; impaired motor control; unusual behavior; memory problems
Nausea, motion sickness	• Antivert®	Meclizine	Drowsiness, dizziness; increased risk for overdose
	• Atarax®	Hydroxyzine	
	• Dramamine®	Dimenhydrinate	
	• Phenergan®	Promethazine	
Pain (such as headache, muscle ache, minor arthritis pain), fever, inflammation	• Advil®	Ibuprofen	Stomach upset, bleeding and ulcers; liver damage (acetaminophen); rapid heartbeat
	• Aleve®	Naproxen	
	• Excedrin®	Aspirin, Acetaminophen	
	• Motrin®	Ibuprofen	
	• Tylenol®	Acetaminophen	
Seizures	• Dilantin®	Phenytoin	Drowsiness, dizziness; increased risk of seizures
	• Klonopin®	Clonazepam Phenobarbital	
Severe pain from injury, postsurgical care, oral surgery, migraines	• Darvocet–N®	Propoxyphene	Drowsiness, dizziness; increased risk for overdose; slowed or difficulty breathing; impaired motor control; unusual behavior; memory problems
	• Demerol®	Mepredine	
	• Fiorinal® with codeine	Butalbital + codeine	
	• Percocet®	Oxycodone	
	• Vicodin®	Hydrocodone	
Sleep problems	• Ambien®	Zolpidem	Drowsiness, sleepiness, dizziness; slowed or difficulty breathing; impaired motor control; unusual behavior; memory problems
	• Lunesta™	Eszopiclone	
	• Prosom™	Estazolam	
	• Restoril®	Temazepam	
	• Sominex®	Diphenhydramine	
	• Unisom®	Doxylamine	
	• Herbal preparations (chamomile, valerian, lavender)		Increased drowsiness

Source: <http://pubs.niaaa.nih.gov/publications/Medicine/medicine.htm>