

Tobacco Retail License (TRL)

Board Update: March 24, 2026



COUNTY OF MONTEREY
HEALTH DEPARTMENT



Overview

- TRL Program Updates
- Enforcement Actions
- DOJ Grants
- Decoy Program
- Next Steps

2025-2026 TRL Facilities

Cities with Tobacco Retail License Ordinance Adoption	Number of Retailers
Tobacco Retailer License- City of Gonzales	9
Tobacco Retailer License- City of King City	15
Tobacco Retailer License- City of Marina	14
Tobacco Retailer License- City of Del Rey Oaks	2
Tobacco Retailer License- City of Pacific Grove	10
Tobacco Retailer License- City of Seaside	18
Tobacco Retailer License- City of Carmel	13
Tobacco Retailer License- City of Monterey	37
Tobacco Retailer License- City of Salinas	124
Total Unincorporated Retailer Licenses	56
Total	298

2025-2026 Inspections & Compliance Results

- 41 TRL facilities out of compliance for selling prohibited flavored tobacco or intoxicating hemp products.
- Notices of Violation issued and required immediate removal of prohibited products.
- Referred to Monterey County District Attorney's Office for further enforcement action.
- Authority to seize flavored tobacco products is assigned to the California Department of Tax and Fee Administration and law enforcement agencies pursuant to Business and Professions Code sections 22974.2 and 22978.3.

Increased Fines for TRL Violations

- TRL Administrative Citation
- Establishes legal record for enforcement and referral to the District Attorney's Office.
- The updated penalty structure significantly increases administrative fines as follows, pursuant to Business and Professions Code §22958 and MCC 7.80:
 - \$1,500 - 1st offense
 - \$3,000 - 2nd offense
 - \$5,000 – 3rd offense
 - TRL Permit Revocation – 4th offense
- Within a five-year period

CODE SECTION	DESCRIPTION OF OBSERVED VIOLATION(S)	
<input type="checkbox"/> HSC § 104559.5(b)(1); BPC § 22958(a)(1); MCC § 7.80.040.G	SALE, OFFER FOR SALE, OR POSSESSION WITH INTENT TO SELL FLAVORED TOBACCO PRODUCT OR FLAVOR ENHANCER	
<input type="checkbox"/> BPC § 22958(a)(2-5)	REPEAT VIOLATION AT SAME LOCATION WITHIN 5 YEARS	
<input type="checkbox"/> MCC § 7.80.030.A	OPERATING WITHOUT A VALID COUNTY OF MONTEREY TRL	
<input type="checkbox"/> MCC § 7.80.040.F	PERSON UNDER LEGAL AGE ENGAGED IN TOBACCO RETAILING	
<input type="checkbox"/> MCC § 7.80.080	CHANGE IN OWNERSHIP WITHOUT NEW LICENSE APPLICATION	
<input type="checkbox"/> MCC § 7.80.100.B	FAILURE TO REMOVE TOBACCO PRODUCTS FROM PUBLIC VIEW DURING A LICENSE SUSPENSION OR REVOCATION	
Business and Professions Code (BPC) · Health & Safety Code (HSC) · Monterey County Code (MCC)		
Corrective Action: You are hereby ordered to immediately cease and correct the violation(s) identified in this Administrative Citation. Remove unlawful tobacco products from sale, discontinue unpermitted activities, and ensure full compliance with Monterey County Code Chapter 7.80, Health & Safety Code § 104559.5 and applicable industrial hemp provisions (including, as applicable, HSC §§ 111921, 111926.2, 111860, 11886, 11880, 11885, 11890, and Title 17 CCR § 23000 et seq.), and Business & Professions Code § 22958.		
ADMINISTRATIVE FINES		OFFICE USE ONLY
<input type="checkbox"/> 1ST OFFENSE: \$1,500	<i>Note: Penalties for subsequent offenses are based on violations occurring within a five-year period, pursuant to BPC § 22958 and MCC Chapter 7.80.</i>	(PE 0093)
<input type="checkbox"/> 2nd OFFENSE: \$3,000		(PE 0094)
<input type="checkbox"/> 3RD OFFENSE: \$5,000		(PE 0095)
<input type="checkbox"/> OTHER: \$ _____		(PE 0096)
The Administrative Fine must be paid to the Environmental Health Bureau within 30 days. Late payment will incur a 10% penalty, plus 1% monthly interest (compounded monthly) from the due date, excluding penalties. Continued noncompliance may also subject your Tobacco Retail License to suspension or revocation under MCC § 7.80.050.		
Submit payment via check, cash, or credit card within 30 days to: County of Monterey Environmental Health Bureau, 1270 Natividad Rd., Salinas CA 93906		

Hemp and Emerging Products

- **Industrial hemp products:**
 - Derived from *Cannabis sativa* L. and contain cannabinoids such as CBD, Delta-8 THC, and Delta-9 THC.
 - Products intended for human consumption are regulated by CDPH.
- **Kratom:**
 - A plant-derived substance containing psychoactive compounds.
 - Not approved as a food or dietary supplement ingredient. Products marketed for human consumption may be considered adulterated under California law.

DOJ Grants

District Attorney's

- DOJ-PROP56 Tobacco Grant Award:
- Total grant amount \$291,130 starting January 1, 2025 – June 30, 2028
- Enforcement activities, undercover buys in retail facilities and online, and prosecution

Sheriff's

- DOJ-PROP56 Tobacco Grant Award:
- Total grant amount \$252,756 (approx \$84,000/FY, starting July 1, 2025)
- Enforcement Activities: Only activities that target retailers for illegal sales/marketing of tobacco products, including flavored tobacco ban
- Unauthorized activity: Community/school patrol or other enforcement action related to tobacco use and possession
- Educational Activities: Retailer and/or officer educational activities on tobacco laws/ordinances are authorized
- Unauthorized: School/community/media not authorized. Only education directed to retailers and officers

Decoy Program – Sheriff's

Grant period (3yr) start FY25/26 - FY27/28

augments Monterey County TRL goals regarding education and enforcement (decoy)

- 60 retailer inspections per year
- 10 decoy operations will be conducted (40 retailers visited)
- 10 shoulder tap operations will be conducted (20 retailers visited)
- 10 undercover operations will be conducted (20 retailers visited)
- 60 retailers will be visited and provided education materials
- 150 enforcement officers will receive TRL education training

District Attorney's TRL Efforts

- Overview of Monterey County District Attorney's Office efforts to educate, inspect, and enforce retail tobacco laws.
- Focus areas: Flavored vapes/tobacco products, sales to minors, illegal sales.
- Ongoing undercover investigations and findings.

District Attorney's Findings

FY 2024-2025

CITY	BUSINESS CONTACTS	CASES GENERATED
Castroville	1	1
Chualar	2	--
Gonzales	2	--
Greenfield	1	--
King City	7	2
Marina	1	1
Monterey	2	2
Pacific Grove	--	--
Pajaro	--	--
Prunedale	1	--
Salinas	16	6
Seaside	1	1
Soledad	7	2
<u>Total</u>	<u>41</u>	<u>15</u>

District Attorney's Findings

FY 2025-2026

CITY	BUSINESS CONTACTS	CASES GENERATED
Castroville	--	--
Chualar	--	--
Gonzales	3	--
Greenfield	2	1
King City	1	--
Marina	5	2
Monterey	2	1
Pacific Grove	1	1
Pajaro	1	1
Prunedale	--	--
Salinas	4	1
Seaside	3	1
Soledad	--	--
<u>Total</u>	<u>22</u>	<u>8</u>

Civil Enforcement

DA has obtained penalties and injunctions against businesses for selling unlawful flavored tobacco and other violations, including:

- People v. Gamal Kalini (dba Ruby Star Gems & Gifts) 24CV002657
- People v. Feras Hanna (King City Smoke and Soledad Smoke Shop) 25CV003059
- People v. Siram Inc. (7 Eleven franchised store) 25CV003231
- People v. Salinas Petro Inc. (Marathon) 25CV005078
- People v. Taher Ahmed (Rainbow Market & Smoke) 25CV004196
- People v. Vi Duong (PDQ Mini Mart) 25CV003234
- People v. Elias Smoke Shop (Big O's Smoke) 25CV006216
- People v. AAD Team, Inc. (Shopette Gifts & Smoke) 25CV006086
- People v. Mohammed Hazem (Discount Cigarettes) 26CV000090

Sheriff's Office Planned Enforcement Activities

Planned enforcement activities under JUUL

- Planned Tobacco Youth Decoy Operations
 - Enforcement activity will commence in March 2026
 - Training must be completed for participating Explorer Post Cadets and Deputies

Questions?

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