



DIVISION OF ENFORCEMENT AND LICENSING

Standard Operating Procedure

CHAPTER: A-130

SUBJECT: Compliance Checks

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Director - 2/25/2021

I. Purpose

- a. To establish policies and procedures for compliance check operations for the Division of Enforcement & Licensing. Why do compliance checks? Compliance checks can save lives!
- b. Alcohol has been identified as a major contributing factor to a wide variety of crimes. Crimes against both persons and property often involve people who have consumed alcohol. Youthful offenders commit many of these crimes. Research shows that the earlier teenagers start drinking, the more likely they will later become addicted to alcohol or other drugs. When states raised the legal drinking age to 21, researches found that the rate of alcohol consumption and alcohol-related problems decreased among 18-20 year olds; those who started drinking later in life drank less and drank less often. Thus, reducing the availability of alcohol to youth is an effective strategy to reduce crime, both today and in the future.

II. Program Administration

- a. The administration of all compliance check activities shall be under the direction of the Field Operations Lieutenant. In the absence of the lieutenant the area sergeant will be responsible for the checks. Compliance checks are part of the enforcement of RSA 179:5 and as such Investigators may partake in the compliance checks jointly with or independent of any other local, county, or state law enforcement officer.
- b. Determining the jurisdictions where compliance checks will be initiated will be determined by the following:
 - i. Police Department Requests – the Division will always do its best to accommodate any jurisdiction requesting an alcohol or tobacco compliance check.
 - ii. Grant Requirements – the Division receives a variety of grants for both

alcohol and tobacco compliance checks. The Division shall ensure it is meeting all grant requirements when conducting alcohol or tobacco compliance checks

iii. Statistical analysis – When compliance checks are initiated by the Division, the following criteria will be used to determine jurisdictions where the compliance checks shall be conducted.

1. Licensee density
2. High- risk licensee population
3. Population density/youth population (college towns etc.)
4. Statistical trends of youth access to alcohol or tobacco
5. Previous compliance check failures and operations

- c. The program administration and procedures adopted shall create an environment where the licensee or their agent will make decisions based upon a fair and reasonable set of facts and circumstances. Compliance checks shall not incorporate any attempt to coerce or otherwise entrap an individual.
- d. Underage buyers used in Division compliance checks may or may not be paid for their time. Underage buyers shall be selected from a pool of underage buyers that have been pre-certified by an Age Assessment Panel when possible.

III. Buyer Characteristics

a. In order to bring about the intent of the public policy behind compliance checks the law must be examined. The applicable statute triggering the salesperson obligation is RSA 179:8 which states:

i. § 179:8. Statement from Purchaser as to Age.

1. For the purposes of RSA 179:7, any person making the sale of beverages or liquor to any person **whose age is in question** (emphasis added) shall require the purchaser to furnish any of the following documentation that such person is 21 years of age or over:
 - a. (a) A motor vehicle driver's license issued by the state of New Hampshire, or a valid driver's license issued by another state, or province of Canada, which bears the date of birth, name, address and picture of the licensee.
 - b. (b) An identification card issued by the director of motor vehicles under the provisions of RSA 260:21, or any picture identification card issued by another state which bears the date of birth, name and address of the individual.
 - c. (c) An armed services identification card.
 - d. (d) A valid passport from a country with whom the United

States maintains diplomatic relations.

- b. Photographic identification presented under this section shall be consistent with the appearance of the person, shall not be expired, and shall be correct and free of alteration, erasure, blemish, or other impairment.
- c. Approved Under Age Buyers for alcohol compliance check operations shall only use either a valid New Hampshire State Driver's License a valid New Hampshire State Non-Drivers ID, United States Passport, or a Military ID. Out of state identification will not be authorized for a valid form of identification
- d. The provisions of RSA 126-K:3 are identical to RSA 179:8. Therefore, any tobacco compliance check shall incorporate by reference all relative provisions from this SOP on alcohol into a tobacco compliance check.
- e. Approved Under Age Buyers for tobacco compliance check operations are approved to utilize a valid New Hampshire State Drivers License, valid New Hampshire State Non-Drivers ID and a valid United States Passport. In cases where a buyer does not have an approved form of identification, buyers will be instructed to say "I don't have my ID," when asked for identification by a clerk or server
- f. In order to fairly carry out the compliance check the UAB must appear to a "reasonable person" to be someone whose age is in question. Therefore, the following characteristics are incorporated into the protocol:
 - i. UAB's for both alcohol and tobacco compliance checks should appear to be between 16-19 years old. Avoid using buyers with an actual age of 20 to help avoid "apparent age" challenges or confusion if the UAB turns 21 between the purchase and any criminal or administrative proceedings.
 - ii. Females should wear little to no makeup, wear casual attire and be of an average height and build. Males should have no facial hair, wear casual attire and be of average height and build.
 - iii. UAB's must never have purchased or possessed alcohol or tobacco illegally, and must commit to not purchasing or possessing alcohol or tobacco products throughout the duration of the project, including court proceedings. All UAB's will have their names run through the SPOTS system to confirm that the UAB was not previously convicted of an alcohol or tobacco related offense. The exception is a court ordered participant.
 - iv. UAB's must be willing to testify in court or administrative hearings.
 - v. **UAB's participating in an alcohol or tobacco compliance check shall not be in violation of 179:10, 179:10a or 126-K:6 I.**

- vi. Each under age buyer deemed approved to be utilized during compliance check operations shall complete a Youth Enforcement Handbook. The said handbook shall be completed prior to their use during a compliance check operation. The Youth Enforcement Handbook shall be completed in full and forwarded to the Director or Designee for filing.

IV. Age Assessment Panel

a. Certification of Underage Buyers

- i. Compliance checks have been used as an educational tool throughout the state for several years. The question has often been raised, was the underage buyer's appearance in question or did the underage buyer look old enough to legally purchase the age restricted product? To assure to the public that compliance checks are conducted in a fair manner and utilizing persons that appear underage, an Age Assessment Panel (AAP) will be created to select the underage persons. The AAP would be developed to create a database of underage individuals for use in compliance checks. Each underage individual will be assessed or certified as a person whose appearance is such that a reasonable and prudent person would check for ID in an age restricted scenario.

b. Buyer Age Appraisal & The Age Assessment Panel (AAP)

- i. Conducting an apparent age appraisal of potential buyers provides:
 - 1. Strong evidence that a "reasonable person" would consider the buyer to be under the legal age to purchase alcohol or tobacco.
 - 2. An opportunity for community groups or leaders to be involved in the compliance check operations, which will promote positive community relations.
 - 3. An opportunity to interview and assess prospective buyer's "court presence" and utility as a witness.
- ii. The AAP should be comprised of a combination of community leaders and/or professionals as well as industry members. The creation of the panel in this manner is to create a balanced array of licensee peers. The AAP should be created and utilized in various areas of the state when and where needed so as to develop pockets of underage volunteers available to law enforcement agencies for compliance check initiatives. These candidates should be used as "underage buyers" for the Compliance Check Program. The AAP Program shall be organized and overseen by the Division of Enforcement of the NH Liquor Commission. Each underage person should be assessed by the panel and the question would be asked of each panel member, "Would you sell alcohol or tobacco products to this person?"

- iii. It is recommended that a panel comprised of qualified reasonable people to do an assessment of the age of youths being considered as buyers. Appropriate panel members may include schoolteachers, guidance counselors, doctors, nurses, youth counselors, attorneys, other underage youth, law enforcement personnel, parents and industry members. Select citizens who routinely deal with young people. Store clerks or citizens engaged in the business of alcohol sales should be used only if they are not from the jurisdiction to avoid suggestions of tipping off or favoring any businesses. An ideal panel would consist of an odd number of members. Instruct buyers to come to the age assessment dressed in jeans, T-shirts, or sweatshirts. Advise them to select clothes similar to those they will wear when conducting compliance checks, and, if necessary, when testifying in court. Females should be advised to wear little or no makeup and to avoid wearing jewelry. Men should be clean shaven.
- iv. Have the panel and the applicants report to one site, but in separate rooms. Give each UB candidate an underage buyer applicant sheet (Form #E-031). Once the panel is assembled give each panel member an age assessment sheet (Form #E-032). Have each buyer candidate, and ideally, at least one clearly overage and one clearly underage (15-16 years old for alcohol and tobacco) youth, enter the panel room one by one, make one short statement, and then leave the room. The duration and character of the panel exposure to the buyer candidate should mimic the circumstances of a typical alcohol or tobacco sale.
 - i. If your compliance check operation will include on-sale restaurants and bars with typical low lighting conditions, consider holding the panel in a room where low lighting levels can be established. Each underage buyer to be certified by the Age Assessment Panel shall appear before the panel in two specific scenarios. One being a well-lit scenario, similar to a convenience store, and the second scenario would be a more dimly lit area seated at a table to simulate a restaurant or lounge.
 - v. The buyer applicants can give their name or be identified by number. The panel members will fill in a rating sheet (Form #E-032) that identifies each buyer candidates apparent age as being obviously questionable to purchase alcohol and/or cigarettes.
 - vi. An ideal outcome will result in buyer candidates being assessed at age 16 to 19 by the entire panel. Utilize only buyers who are rated by a majority of the age assessment panel to be 16 to 19 years old for alcohol or tobacco.
 - vii. If there is an occasion in which the majority of the AAP rates a UAB candidate as appearing either too young or too old but their actual age is within the guidelines of this policy, the investigator may request a review and reconsideration by the Director or his designee. When making the request the investigator must explain the circumstances that prompted the request and provide copies of the UAB candidate's application, panel member scoring

sheets and a photograph of the UAB candidate in question. The Director or his designee will review the documentation and make a final determination as to whether or not the UAB candidate may participate in the compliance check program. This determination will be based on the Director or his designee's assessment of UAB candidate's apparent age and if he/she feels that the UAB candidate is clearly of youthful appearance and questionable age. This will be done on a case by case basis at the discretion of the Director or his designee.

- viii. Under age buyers under the age of 16 years old shall have had an Employer's Request for Child Labor completed by the educational establishment of the minor. The educational establishment will be required to forward this form onto the parent or legal guardian of the minor for signing prior to returning it to the Division of Enforcement. Under age buyers under the age of 18 years old and over the age of 16 years old shall have the parental permission form completed and returned to the Division of Enforcement. The above said documents shall be completed and submitted to the Division of Enforcement prior to the utilization of the under age buyer in any compliance check operation.

V. Logistics

- a. Prior to conducting a compliance check for either alcohol or tobacco the Division shall assemble and use compliance check packets before the date of the operation. Routes should be planned and maps utilized whenever feasible. A list of licensees should be established for the operation. It shall be the policy of the Division that alcohol and tobacco compliance checks shall check **all** licensees within a community including State Liquor Stores. Investigators working with local police departments shall encourage checks for both on-sale and off-sale licensees. The investigator in charge of the operation shall keep an accounting of the money expended at each establishment.
- b. Investigators may experience several scenarios presented by the local police departments.
 - i. If the investigator finds that the local police department is not looking for administrative action if a licensee fails the compliance check then the Division shall not participate.
 - ii. If the investigator is not notified of the compliance check in a timely manner in order to prepare the necessary paperwork and meet the investigators' schedule, then the only action taken will be issuance of a Notice of Verbal Instruction.
 - iii. If the investigator finds that the protocol established by the Commission is not followed by the local police agency, then a Notice of Verbal Instruction shall be issued.

VI. Procedure

- a. The Division shall implement the following steps before a compliance check is conducted:
 - i. The operational Checklist, (Form # E-033)) shall be utilized as a guideline for setting up compliance checks. The Compliance Unit and/or area Investigator will inform the regional lieutenant of the upcoming compliance checks.
 - ii. The Investigator will inform the Director of Enforcement's Administrative Assistant of the pending compliance check operation prior to its execution. (As much notice as possible).
 - iii. Lieutenants or their designee will secure funds for the investigator/UAB to perform the compliance checks. *Investigators are not to use their personal funds for compliance checks.
 - iv. Lieutenants or their designee will secure stipend funds to issue the approved underage buyer for their volunteered time. (*The stipends shall not be given to the approved underage buyer until the conclusion of the compliance check operation*).
 - v. Review and complete Form # E-044 for each approved under age buyer prior to the commencement of the compliance check operation.
 - vi. Form E-044 shall be completed by each approved under age buyer whenever utilized in a compliance check operation and filed in the master compliance check report.
 - vii. Form E-044-a shall be completed when required by the Chief or his designee. Investigators shall follow the Pandemic Mitigation Protocols as outlined in Appendix B.
 - viii. Photograph the AAP-UAB.
 - ix. Search the UAB to document he/she is not carrying extra cash or false identification.
 - x. Rehearse the response of the UAB to a query by a clerk as to identification or age. The policy of the Division will be to have the UAB carry their driver's license and present it upon request. The Director shall approve any deviation of this license requirement.
 - xi. If a UAB that has been approved by the Age Assessment Panel is found not to be in compliance with the Division's standards of dress and overall

appearance, then the investigator conducting the compliance check(s) will not use the UAB for the operation.

VII. At the Scene

- a. The safety of the UAB is always the Division's primary concern and therefore compliance checks shall be conducted with this goal. No check shall be conducted where the safety of the UAB is in question.
- b. Distribute funds for that single store attempt. If the sale is made take the change from the UAB when they emerge. If no sale is made they should retain the money until the next attempt.
- c. If the local law enforcement agency issues the criminal complaint to the clerk for selling the age restricted product, the local officer will elect to either seize the product for evidence, or photograph it and return the product back to the establishment (Some local law enforcement agencies utilize the photograph as the evidence for the sale that was made). If the age restricted product is seized for evidence, the buy money utilized shall not be seized back from the establishment. If the age restricted product is returned to the establishment after a photograph was taken, the buy money utilized for the purchase shall be immediately seized back from the establishment.
- d. If the Investigator works in a solo capacity when executing the compliance check operation (without the assistance of the local law enforcement agency), the Investigator shall issue the summons and Warning as outlined below. In addition, the Investigator shall process the seized evidence by logging into evidence and tagging. The money that is exchanged shall not be seized from the licensee. A receipt for the completed sale shall be tagged as evidence along with the alcohol purchased.
- e. The compliance check buyer report form, Form # E-034, shall be completed and all evidence bagged and tagged before completing the next check.
- f. If feasible, one officer should enter the establishment to observe the transaction. If not feasible try to observe from outside the store.
- g. Buyer enters and selects an age restricted product (cigarettes, six-pack of beer in off-sale checks or a bottle of beer or glass of wine if an on-sale licensee).
- h. Upon leaving the establishment the UAB shall be debriefed on their experience and a reporting sheet shall be completed for each attempt, whether successful or not.
- i. If feasible, and without creating a situation where a licensee calls other licensees, the officers should approach the seller or server and explain the check was done and the result.
- j. If the establishment fails an alcohol compliance check, the Investigator shall issue a

- Warning. On this document, the Investigator will document that the offense was a violation of RSA 179:5 (Compliance Check Failure), that there will be four (4) points assessed to the liquor license, and that a member of the management will be required to attend a Division sponsored Management Training Seminar Class within (90) days of the offense. A Form # E-045 E shall be completed and issued to each establishment at the time of the failed alcohol compliance check.
- k. If the compliance check operation involves the assistance from a local law enforcement agency; the Investigator shall make that agency aware of the Total Education in Alcohol Management (TEAM) class that is sponsored by the Division of Enforcement. It should be made known that requesting the court to order the defendant to attend this class is an option for a plea agreement.
 - l. If the Investigator is issuing the criminal summons to the clerk for a violation of RSA 179:5 (Prohibited Sales); the following practice should be followed: First Offense: The Investigator may offer a plea offer for the defendant to attend a Division sponsored Total Education in Alcohol Management (TEAM) class within a (90) day time period, and the Prohibited Sales charge to be placed on file for one (1) year of good behavior. Good behavior shall include no felony, misdemeanor, or major violation convictions. Subsequent Offense(s): The Investigator shall proceed with the prosecution as normal. Enhanced penalties are recommended.
 - m. If the above plea offer is not agreeable by the defendant, then the Investigator shall proceed as normal.
 - n. If the establishment fails a tobacco compliance check, the Investigator shall issue a Warning. On this document, the Investigator will document that the offense was a violation of 126-K:4 (Compliance Check Failure), and that a member of the management will be required to attend a Division sponsored Management Training Seminar Class within (90) days of the offense. A Form # E-045 shall be completed and issued to each establishment at the time of the failed tobacco compliance check.
 - o. If the compliance check operation involves the assistance from a local law enforcement agency; the Investigator shall make that agency aware of the Total Education in Alcohol Management (TEAM) class that is sponsored by the Division of Enforcement. It should be made known that requesting the court to order the defendant to attend this class is an option for a plea agreement.
 - p. If the Investigator is issuing the criminal summons to the clerk for a violation of 126-K:4 (Sale of Tobacco Products to a minor); the following practice should be followed: First Offense: The Investigator may offer a plea offer for the defendant to attend a Division sponsored Total Education in Alcohol Management (TEAM) class within a (90) day time period, and for the offense to be placed on file for (90) days of good behavior. Good behavior shall include no felony, misdemeanor, or major violation convictions. Subsequent Offense(s): The Investigator shall proceed with the prosecution as normal. Enhanced penalties are recommended, as outlined within 126-

K:4.

- q. If the above plea offer is not agreeable by the defendant, then the Investigator shall proceed as normal.

VIII. After the Checks

- a. The Investigator(s) shall complete Form # E-043 with the under age buyer immediately following the compliance check operation. At this time, the stipend will be given to the under age buyer for having volunteered their time in the said operation.
- b. If a sale was made by a state liquor store, the Investigator shall notify the applicable field Sergeant immediately to report all pertinent information (seller's information, buyer's information, manager's information, item purchased, court date issued, etc), who will in turn notify the Lieutenant. The Lieutenant will notify the Deputy Director of the above information.
- c. The issuance of a Warning as outlined above shall be documented in an IMC as a Call for Service. Within the CFS, the seller's name, UAB's name, the local law enforcement officer's name, and a narrative indicating the facts of the violation shall be included. The CFS shall be printed out, stapled to Warning and submitted with the compliance check paperwork packet for supervisory review.
- d. The Investigator shall complete an offense report as an event. This report shall constitute the master report documenting the synopsis of the operation, and titled respectively to the type of operation that was conducted (On-Sale Alcohol Compliance Checks, Tobacco Compliance Checks, etc). An example of the synopsis is included in appendix "A". The Investigator shall import digital photographs of the approved UAB's utilized in the operation onto the images portion of the offense report (The photograph to be imported shall be the photograph taken at the time the operation was executed). Within the folder containing this event (offense) report, the Investigator shall include a photo copy of the driver's licenses of the approved UAB's, a completed Form # E-042 for each approved UAB, Form # E-043 for each approved UAB, and a completed Form # E-044 for each approved UAB. In a separate folder, the Investigator shall include only the Warning which are stapled to completed CFS's. In a separate folder, the Investigator shall file all completed Form # E-034s. In a separate folder, the Investigator shall file the completed MAPPER report. All of the above separate folders utilized to organize the compliance check paperwork shall all be filed in an accordion folder and submitted for supervisory approval. When entering the calls for service for any compliance check, investigators shall reference the IMC flow chart located in S:\Enforcement\Common\Forms.
- e. A completed copy of the MAPPER report shall be forwarded electronically to the criminal analyst or program specialist for data collection.

- f. All of the issued Warning will be reviewed by the Director or his designee. At the time of this review, the Division may elect to enhance the penalty due to prior history or aggravating factors. If this is the case, the Division administration will contact the licensee directly.
- g. Press releases will be issued under the direction of the Director or his designee.
- h. The Division of Enforcement shall not participate in any compliance checks unless a 90-day period has passed before a subsequent compliance check is conducted. The only exception to the 90-day lapse between compliance checks is the Selective Alcohol and Tobacco Initiative.

IX. Selective Alcohol & Tobacco Initiative (SATI)

- a. The Division of Enforcement recognizes that compliance checks for alcohol and tobacco are a valuable educational tool when conducted in a community wide effort. However, there are situations that arise that could require a more directed form of compliance check. The Division of Enforcement receives numerous complaints from the general public regarding a specific licensee selling alcoholic beverages or tobacco products to underage persons. The SATI compliance check shall be used as an enforcement tool as opposed to an educational tool. The resulting penalties would be the same as an enforcement action.
- b. The Division of Enforcement will institute the following law enforcement initiative referred to as the **“SELECTIVE ALCOHOL AND TOBACCO INITIATIVE” (SATI)**.
- c. **“SATI”** will be a controlled law enforcement action conducted by the Division of Enforcement as a result of a formal complaint filed against a specific licensed location.
- d. Underage buyers will be utilized by a member or members of the Division of Enforcement to selectively check and attempt to make purchases of alcoholic beverages and/or tobacco products at specifically identified licensed premise.
- e. Multiple locations within a single community may be selected, but only if complaints have been logged with the Division regarding suspected sales at those additional locations.
- f. **“SATI”** shall be initiated only as a result of a formal complaint levied against a specific licensed location.
- g. The formal complaint shall be filed by the complaining party and he or she shall be identified by name, address and date of birth.
- h. The identity of the complainant shall be kept confidential and available only to the

Commission if requested.

- i. Anonymous complaints may not be accepted as a valid formal complaint.
- j. The initial complaint may be filed with the Division of Enforcement by a citizen or other law enforcement agency. This information will be stored in the Dispatch portion of the IMC data base maintained by the Division of Enforcement.
- k. All protocol issues under this policy shall be followed regarding the age and appearance of the underage buyer.
- l. The lieutenant shall authorize the “SATI” and shall notify the Deputy Director prior to the start of the initiative.
- m. The Deputy Director or his designee will determine if a stipend will be given to the approved under age buyer for the time that was volunteered in the “SATI” operation prior to its execution.
- n. Each “SATI” operation attempt will require separate approval processes in regards to the issuance of a stipend to the approved under age buyer. If a stipend is going to be given to the under age buyer, the stipend shall not be given until the conclusion of the compliance check operation.
- o. Photograph the AAP-UAB prior to the “SATI” operation.
- p. Search the UAB to document he/she is not carrying extra cash or false identification.
- q. Rehearse the response of the UAB to a query by a clerk as to identification or age. The policy of the Division will be to have the UAB carry their driver’s license and present it upon request. The Director shall approve any deviation of this license requirement.
- r. If a UAB that has been approved by the Age Assessment Panel is found not to be in compliance with the Division’s standards of dress and overall appearance, then the investigator conducting the compliance check(s) will not use the UAB for the operation
- s. Review and complete the attached Form # E-044 for each approved under age buyer prior to the commencement of the compliance check operation.
- t. Form # E-044 shall be completed by each approved under age buyer whenever utilized in a compliance check operation and filed in the offense report.
- u. Distribute funds for that single store attempt. If the sale is made take the change from the UAB when they emerge. If no sale is made they should retain the money until the next attempt.

- v. If feasible, one investigator should enter the establishment to observe the transaction. If not feasible try to observe from outside the store.
- w. Buyer enters and selects an age restricted product (cigarettes, six-pack of beer in off-sale checks or a bottle of beer or glass of wine if an on-sale licensee).
- x. Upon leaving the establishment the UAB shall be debriefed on their experience and a reporting sheet shall be completed for each attempt, whether successful or not.
- y. The “SATI” operation will consist of two (2) checks done at least 15 but no more than 30 calendar days apart.
- z. Each “SATI” operation offense will be considered a single violation.
- aa. The “SATI” operation will be recorded and filed as an IMC Incident report. The report shall identify the licensee; the complaints alleged and the person or persons used for the operation.
- bb. The “SATI” violations shall be filed in IMC Offense Reports (OF) with full details describing the violation in addition to the complaints filed against the location. Within the folder containing this offense report, the Investigator shall include a photo copy of the driver’s licenses of the approved UAB’s, a completed Form # E-034, a completed Form # E-042 for each approved UAB, Form # E-043 for each approved UAB (*if applicable*), and a completed Form # E-044 for each approved UAB (*if applicable*).
- cc. Each “SATI” offense will constitute the issuance of an Administrative Notice of Agency Action to the establishment. The Administrative Notice shall indicate that it is a Must Appear, and that the establishment shall contact the legal department of the Division within five (5) business days of the offense.
- dd. The Investigator(s) shall complete the attached Form # E-043 with the under age buyer immediately following the “SATI” operation. At this time, the stipend will be given to the under age buyer for having volunteered their time in the said operation.

X. Underage Buyer Removal Procedure

- a. An investigator may run into a situation where a buyer is no longer reliable, has gotten into trouble at school or with law enforcement, has engaged in activity that reflects negatively upon the division, or has requested to be removed from the calling list. The following procedure shall be taken when an underage buyer is to be removed from the list:
 - i. The investigator shall submit a memo to their immediate supervisor requesting

that the Under Age Buyer be removed from the list, and explain the situation that occurred that causes concern as to their suitability as an underage buyer.

- ii. The immediate supervisor will determine if the situation warrants permanent removal from the list.
- iii. If it is determined that the buyer's actions warrant removal, the immediate supervisor shall remove the buyer from the approved underage buyer list by notifying the training division. It shall be the responsibility of the training division to inform all field personnel of that buyer's removal from the list.