

DIVISION OF ALCOHOL AND TOBACCO CONTROL

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INDUSTRY CIRCULAR

Tobacco Deliveries to Consumers

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ATC has received a number of inquiries from retailers regarding the legality of delivery/shipment of tobacco products by retailers. ATC is providing this information for tobacco retailers so they may deliver within the guidelines of Missouri tobacco laws.

Following are guidelines for tobacco retailers who want to deliver tobacco to consumers:

- 1) Must have a Missouri Retail Sales Tax License with the Missouri Department of Revenue ([RSMo. 407.934.1](#)).
- 2) Must require proof of age from any purchaser who appears to be under the age of 18 ([RSMo 407.929](#)).
- 3) The sale must be to a person age 21 or over, in accordance with [Federal Law](#).
- 4) If selling individual packs of cigarettes or smokeless tobacco via mail/internet sales in accordance with [RSMo. 407.926.2](#), prior to the time of sale, the product(s) must be stored as follows:
 - a) in a vending machine ([RSMo. 407.928](#) and [RSMo. 407.931](#)); or,
 - b) behind the checkout counter or within the unobstructed line of sight of the sales clerk or store attendant from the checkout counter, ([RSMo. 407.928](#)).
- 5) If selling a “nicotine liquid container” as defined in [RSMo. 407.926.4](#), it must be sold in compliance with the child-resistant effective standards established therein.

Local ordinances as well as other state and federal laws may affect a tobacco retailer’s ability to deliver tobacco products. Please contact those jurisdictional authorities for further guidance.

For tobacco retailers that are licensed to sell alcohol, see the [Guidelines for Retailers to Deliver](#) for more information on alcohol deliveries.

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