

# State of Louisiana

Office of Alcohol and Tobacco Control

John Bel Edwards  
Governor



Juana Marine-Lombard  
Commissioner

## ATC Responsible Business Pilot Program

Dear Permit Holder:

As Commissioner, I have learned through the years that despite how hard and committed business owners are in their attempts to prevent their employees from selling to underage persons, some employees sell anyway.

In an attempt to partner with these good businesses, the Louisiana Office of Alcohol & Tobacco Control (ATC) is initiating a "Responsible Business" pilot program. The voluntary program will provide a source of mitigation from cumulative offenses for businesses that demonstrate a strong commitment to voluntary compliance with the alcoholic beverage and tobacco control laws and/or regulations by taking numerous routine and proactive measures to prevent the sale and/or service of alcoholic beverages and tobacco products to underage persons.

### **How the program will work:**

Currently, violations stay on your record for a period of three years and the penalty is increased for each additional violation of the same type within that three year period. Under this pilot program, qualifying businesses who commit to implementing and continuously completing ALL of the proactive procedures set out below will have the time period a violation remains on their record, relative to the sale and/or service of alcoholic beverages and/or tobacco products, reduced from three years to one year; thereby potentially reducing the penalties associated with cumulative offenses. In other words, by demonstrating a strong commitment to preventing underage sales through the implementation and fulfillment of these proactive procedures, ATC will clear your record of each underage sale and/or service violation in one calendar year from the date said violation was issued. (Note: cumulative violations will still apply for subsequent violations issued within one calendar year.)

### **Required procedures for participation in the pilot program:**

In order to participate in the "Responsible Business" pilot program, your business must agree to implement and continuously complete ALL of the following procedures:

1. Zero Tolerance Policy - The business must agree to immediately terminate, and not re-employ for a period of at least one year, any employee found guilty by ATC of selling and/or serving either an alcoholic beverage or tobacco product to an underage person.
2. Employee Training - The business must agree to conduct a training course at least once a year for ALL employees relative to the responsible sale and/or service of alcoholic beverage and tobacco products. Additionally, the business must submit a report to ATC of the date, time, and duration of each training session, along with a list of printed names and signatures of each employee that attended each training session one year after your program has been approved and each year after that or upon request of an ATC agent.
3. Responsible Vendor (RV) Certification - The business must agree to ensure that all employees maintain a valid RV certification and that each new hire be RV certified prior to hiring.
4. Secret-Shopper Program - The business must agree to institute a secret shopper program, which must receive prior written approval from the ATC Commissioner and comply with ALL of the following:

- Send a secret shopper into your business at least once a quarter to attempt a purchase of alcohol and tobacco products (depending on what type of permit you hold).
- The secret shopper must be under the age of 21 years for alcohol and under the age of 18 years for tobacco.
- The secret shopper cannot be under the age of 17 years.
- The secret shopper shall not be allowed to consume alcoholic beverage or tobacco products at any time.
- The ATC report of secret shopper findings form (attached and on our website at [www.atc.la.gov](http://www.atc.la.gov)) shall be fully completed and submitted to ATC one year after you received approval from ATC to begin your program and each year after that or upon request by an ATC agent.
- No violations will be issued by ATC for any sales made to your secret shopper; however, the employee that sells and/or serves an alcoholic beverage or tobacco product to an underage secret shopper shall be dealt with according to your policy and procedures. Unlike if ATC catches them; Zero Tolerance is not mandated if you catch an employee selling and/or serving an alcoholic beverage or tobacco product to an underage secret shopper.
- If the secret shopper is denied the sale and/or service of an alcoholic beverage or tobacco product, the employee who denied the sale and/or service shall be given a certificate of commendation and at least a \$25 reward from the business.
- You can either do an in-house program where you hire and administer it or you can contract with a company. Whichever you choose, it must be approved by the ATC Commissioner.

**Disqualifying factors:**

A business will be immediately disqualified from participation in the “Responsible Business” pilot program upon finding:

1. The owner or the spouse of an owner sold and/or served an alcoholic beverage or tobacco product to an underage person; or
2. It is determined by the ATC Commissioner that the business has not genuinely complied with ALL of the provisions of this program.

If you are interested in participating in this voluntary program or you have questions, please email us at [ResponsibleBusinessProgram@atc.la.gov](mailto:ResponsibleBusinessProgram@atc.la.gov) to sign up and get started. You will then be contacted by ATC to set up your program. Please be patient with us due to the expected high demand of this program.

Sincerely,



Juana Lombard, Commissioner  
Office of Alcohol and Tobacco Control