

COMPLIANCE CHECKS OF ALCOHOL RETAILERS

Other names/examples: Drug Free Business and Passed Compliance Check Recognition

Description of strategy

A compliance check is a tool used to identify alcohol establishments that sell to underage youth and to increase retailer compliance with prohibitions on alcohol sales to minors. The practice of conducting compliance checks can be mandated by a local ordinance. Typically the ordinance will outline the standards for conducting the checks, the people or agencies responsible for conducting the checks, and the penalties for establishments, servers, and sellers who illegally sell or serve alcohol to underage youth. The practice also may be voluntarily implemented by law enforcement or licensing authorities. Compliance checks have two general purposes. The first is to enforce state criminal statutes and/or local administrative ordinances. The second purpose is to identify, warn, and educate alcohol establishments that serve or sell alcohol to underage youth.

Compliance checks are typically implemented by a standard procedure. For example, initially alcohol licensees are informed that compliance checks will occur at various times throughout the year and about potential penalties for selling alcohol to underage youth. During the check, an enforcement agent (police officer or other authorized person) waits outside the premises while a person under age 21 attempts to purchase or order an alcoholic beverage. If the alcohol establishment sells alcohol to the young person, the enforcement agent issues a citation either to the seller/server or to the establishment. The police officer may charge the server or seller who sold the alcohol (when compliance checks are used to enforce state laws governing servers and sellers), or the officer may issue an administrative citation, which is imposed upon the alcohol license holder rather than the individual server or seller (when compliance checks are used to enforce local administrative ordinances). Because administrative charges are easier, faster, and less expensive to prosecute, they can be the best option—and in some communities the only option—for penalizing alcohol establishments (University of Minnesota Alcohol Epidemiology Program, 2011).

Discussion of effectiveness

Alcohol

Alcohol compliance checks as part of a multicomponent intervention were generally found to be effective at reducing underage sales (Wagenaar, Toomey, & Erickson, 2005; Saltz, Welker, Paschall, Feeney, & Fabiano, 2009).

In North Dakota, compliance check operations are permitted, and for these purposes, a person under the age of 21 can enter a licensed establishment . (N.D.C.C. § 5-01-08, Individuals under 21 years of age prohibited from entering licensed premises, 2013).

Intervening Variables	
Retail Pricing	
Retail availability	
Social availability	
Law Enforcement	
Community norms	
Promotion & media	

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References for description of strategy

University of Minnesota Alcohol Epidemiology Program. (2011). Compliance Checks. Retrieved July 19, 2012, from: <http://www.epi.umn.edu/alcohol/policy/compchks.shtml>

Evidence base

Saltz, R. F., Welker, L. R., Paschall, M. J., Feeney, M. A., & Fabiano, P. M. (2009). Evaluating a comprehensive campus-community prevention intervention to reduce alcohol-related problems in a college population. *Journal of Studies on Alcohol and Drugs*. (Suppl. 16), 21–27.

Wagenaar, A. C., Toomey, T. L., & Erickson, D. J. (2005). Preventing youth access to alcohol: Outcomes from a multi-community time-series trial. *Addiction*, *100*(3), 335–345. doi:10.1111/j.1360-0443.2005.00973.x

Wolfson, M., Wagoner, K., DuRant, R., Champion, H., Ip, E., McCoy, T., ... Martin, BA. (2007). Impact of a group-randomized trial to reduce high risk drinking by college students. *Alcoholism: Clinical and Experimental Research*, *31*(6 Suppl. 2), 115A.

Further reading

National Association of Governors' Highway Safety Representatives. (2001). Community how to guides on underage drinking prevention: Guide 5, Enforcement. Washington, DC: National Highway Traffic Safety Administration. Available at: http://www.nhtsa.gov/people/injury/alcohol/community%20guides%20html/Book5_Enforcement.html#Shoulder%20tap

Nelson-Bragg, T. (2011). State of Wyoming Compliance Check Manual. State of Wyoming Department of Health, The Wyoming Association of Sheriffs and Chiefs of Police. Available at: www.health.wyo.gov/Media.aspx?mediald=11368