

ANNUAL SYNAR REPORT

42 U.S.C. 300x-26

OMB No 0930-0222

FFY 2010

State: Arkansas



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Substance Abuse and Mental Health Services Administration
Center for Substance Abuse Prevention
www.samhsa.gov

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INTRODUCTION

The Annual Synar Report (ASR) format provides the means for States to comply with the reporting provisions of the Public Health Service Act (42 U.S.C. 300x-26) and the Tobacco Regulation for the SAPT Block Grant (45 C.F.R. 96.130 (e)).

Public reporting burden for the collection of information is estimated to average 15 hours for Section I and 3 hours for Section II, including the time for reviewing instructions, completing and reviewing the collection of information, searching existing data sources, and gathering and maintaining the data needed. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to SAMHSA Reports Clearance Officer; Paperwork Reduction Project; 1 Choke Cherry Road, 7th Floor Rockville, Maryland 20857.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control number for this project is 0930-0222 with an expiration date of 10-31-2010.

How the Synar report helps the Center for Substance Abuse Prevention

In accordance with the tobacco regulations, States are required to provide detailed information on progress made in enforcing youth tobacco access laws (FFY 2009 Compliance Progress) and future plans to ensure compliance with the Synar requirements to reduce youth tobacco access rates (FFY 2010 Intended Use Plan). These data are required by 42 U.S.C. 300x-26 and will be used by the Secretary to evaluate State compliance with the statute. Part of the mission of the Center for Substance Abuse Prevention (CSAP) is to assist States¹ by supporting Synar activities and providing technical assistance helpful in determining the type of enforcement measures and control strategies that are most effective. This information is helpful to CSAP in improving technical assistance resources and expertise on enforcement efforts and tobacco control program support activities, including State Synar Program support services, through an enhanced technical assistance program involving conferences and workshops, development of training materials and guidance documents, and on-site technical assistance consultation.

How the Synar report can help States

The information gathered for the Synar report can help States describe and analyze sub-State needs for program enhancements. These data can also be used to report to the State legislature and other State and local organizations on progress made to date in enforcing youth tobacco access laws when aggregated statistical data from State Synar reports can demonstrate to the Secretary the national progress in reducing youth tobacco access problems. This information will also provide Congress with a better understanding of State progress in implementing Synar, including State difficulties and successes in enforcing retailer compliance with youth tobacco access laws.

¹The term State is used to refer to all the States and territories required to comply with Synar as part of the Substance Abuse Prevention and Treatment Block Grant Program requirements (42 U.S.C. 300x-64 and 45 C.F.R. 96.121).

Getting assistance in completing the Synar report

If you have questions about programmatic issues, you may call CSAP's Division of State Programs at (240) 276-2413 and ask for your respective State Project Officer, or contact your State Project Officer directly by telephone or e-mail using the directory provided in the FY 2010 Uniform Application, Appendix A. If you have questions about fiscal or grants management issues, you may call the Grants Management Officer, Office of Program Services, Division of Grants Management, at (240) 276-1422.

Where and when to submit the Synar report

The Annual Synar Report (ASR) must be received by SAMHSA no later than December 31, 2009. The ASR must be submitted in the **approved OMB report format**. Use of the approved format will avoid delays in the review and approval process. The chief executive officer (or an authorized designee) of the applicant organization must sign page 1 of the ASR certifying that the State has complied with all reporting requirements.

The State must upload one copy of the ASR using the online WebBGAS (Block Grant Application System). In addition, the following items must be uploaded to WebBGAS:

- FFY 2010 Synar Survey Results: States that use the Synar Survey Estimation System (SSES) must upload one copy of SSES Tables 1-5 (in Excel) to WebBGAS. States that do not use SSES must upload one copy of ASR Forms 1, 4 and 5, and Forms 2 and 3, if applicable, (in Excel) to WebBGAS.
- Synar Inspection Form: States must upload one blank copy of the inspection form used to record the result of each Synar inspection.
- Synar Inspection Protocol: States must upload a copy of the protocol used to train inspection teams on conducting and reporting the results of the Synar inspections.

Each State SSA Director has been e-mailed a login ID and password to log onto the Synar section of the WebBGAS site.

Additionally, the State must submit one signed original of the report (including the signed Funding Agreements/Certifications), as well as one additional copy of the signed Funding Agreements/Certifications, to the Grants Management Officer at the address below:

Ms. Barbara Orlando
Grants Management Officer
Office of Program Services
Division of Grants Management
Substance Abuse and Mental Health Services Administration

Regular Mail:

1 Choke Cherry Road, Rm.7-1091
Rockville, Maryland 20857

Overnight Mail:

1 Choke Cherry Road, Rm.7-1091
Rockville, Maryland 20850

FFY 2010: FUNDING AGREEMENTS/CERTIFICATIONS

The following form must be signed by the Chief Executive Officer or an authorized designee and submitted with this application. Documentation authorizing a designee must be attached to the application.

PUBLIC HEALTH SERVICES ACT AND SYNAR AMMENDMENT	
42 U.S.C. 300x-26 requires each State to submit an annual report of its progress in meeting the requirements of the Synar Amendment and its implementing regulation (45 C.F.R. 96.130) to the Secretary of the Department of Health and Human Services. By signing below, the chief executive officer (or an authorized designee) of the applicant organization certifies that the State has complied with these reporting requirements and the certifications as set forth below.	
SYNAR SURVEY SAMPLING METHODOLOGY	
The State certifies that the Synar survey sampling methodology on file with the Center for Substance Abuse Prevention and submitted with the Annual Synar Report for FFY 2010 is up-to-date and approved by the Center for Substance Abuse Prevention.	
SYNAR SURVEY INSPECTION PROTOCOL	
The State certifies that the Synar Survey Inspection Protocol on file with the Center for Substance Abuse Prevention and submitted with the Annual Synar Report for FFY 2010 is up-to-date and approved by the Center for Substance Abuse Prevention.	
State:	
Name of Chief Executive Officer or Designee:	
Signature of CEO or Designee:	
Title: _____	Date Signed: _____
If signed by a designee, a copy of the designation must be attached.	

SECTION I: FFY 2009 (Compliance Progress)

YOUTH ACCESS LAWS, ACTIVITIES, AND ENFORCEMENT

42 U.S.C. 300x-26 requires the States to report information regarding the sale/distribution of tobacco products to individuals under age 18.

1. Please indicate any changes or additions to the State tobacco statute(s) relating to youth access since the last reporting year. If any changes were made to the State law(s) since the last reporting year, please attach a photocopy of the law to the hard copy of the ASR and also upload a copy of the State law to WebBGAS. (see 42 U.S.C. 300x-26).

a. Has there been a change in the *minimum sale age* for tobacco products?

Yes No

If Yes, current minimum age: 19 20 21

b. Have there been any changes in State law that impact the State's *protocol for conducting Synar inspections*? Yes No

If Yes, indicate change. (Check all that apply.)

Changed to require that law enforcement conduct inspections of tobacco outlets

Changed to make it illegal for youth to possess, purchase or receive tobacco

Changed to require ID to purchase tobacco

Other change(s) *(Please describe.)* _____

c. Have there been any changes in the law concerning *vending machines*?

Yes No

If Yes, indicate change. (Check all that apply.)

Total ban enacted

Banned from location(s) accessible to youth

Locking device or supervision required

Other change(s) *(Please describe.)* _____

d. Have there been any changes in State law that impact the following?

Licensing of tobacco vendors Yes No

Penalties for sales to minors Yes No

2. Describe how the Annual Synar Report (see 45 C.F.R. 96.130(e)) and the State Plan (see 42 U.S.C. 300x-51) were made public within the State prior to submission of the ASR. (Check all that apply.)

- Placed on file for public review
- Posted on a State agency Web site (*Please provide exact Web address.*)
http://www.arkansas.gov/dhs/dmhs/adap_survey.htm
- Notice published in a newspaper or newsletter
- Public hearing
- Announced in a news release, a press conference, or discussed in a media interview
- Distributed for review as part of the SAPT Block Grant application process
- Distributed through the public library system
- Published in an annual register
- Other change(s) (*Please describe.*) _____

3. Identify the following agency or agencies (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130).

a. The State agency(ies) designated by the Governor for oversight of the Synar requirements:

Office of Alcohol and Drug Abuse Prevention (ADAP), Division of Behavioral Health, AR Department of Human Services (DHS)

Has this changed since last year's Annual Synar Report? Yes No

b. The State agency(ies) responsible for conducting random, unannounced Synar inspections:

Office of Alcohol and Drug Abuse Prevention (ADAP)

Has this changed since last year's Annual Synar Report? Yes No

c. The State agency(ies) responsible for enforcing youth tobacco access law(s):

Arkansas Tobacco Control Board (ATCB)

Has this changed since last year's Annual Synar Report? Yes No

4. Identify the State agency(ies) responsible for tobacco prevention activities.

ADAP, ATCB, and Center for Public Health Practice (Arkansas Department of Health)

Has the responsible agency changed since last year's Annual Synar Report?

Yes No

a. Describe the coordination and collaboration that occur between the agency responsible for tobacco prevention and the agency responsible for oversight of the Synar requirements. (Check all that apply.) The two agencies

- Are the same
- Have a formal written memorandum of agreement
- Have an informal partnership
- Conduct joint planning activities
- Combine resources
- Have other collaborative arrangement(s) (Please describe.) _____

5. Please answer the following questions regarding the State’s activities to enforce the youth access to tobacco law(s) in FFY 2009 (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130(e)).

a. Which one of the following describes the enforcement of youth access to tobacco laws carried out in your State? (Check one category only.)

- Enforcement is conducted exclusively by local law enforcement agencies.
- Enforcement is conducted exclusively by State agency(ies).
- Enforcement is conducted by both local and State agencies.

b. The following items concern penalties imposed for violations of youth access to tobacco laws by LOCAL AND/OR STATE LAW ENFORCEMENT AGENCIES. Please fill in the number requested. If State law does not allow for an item, please mark “NA” (not applicable). If a response for an item is unknown, please mark “UNK.” The chart must be filled in completely.

PENALTY	OWNERS	CLERKS	TOTAL
Number of <u>citations issued</u>	373	350	723
Number of <u>finances assessed</u>	116	UNK	UNK
Number of <u>permits/licenses suspended</u>	39	NA	39
Number of <u>permits/licenses revoked</u>	0	NA	0
Other (Please describe.) 257 – 1 st Offense Warnings 116 – Fines totaling \$40,650			

c. What additional activities are conducted in your State to support enforcement and compliance with State tobacco access law(s)? (Check all that apply.)

- Merchant education and/or training
- Incentives for merchants who are in compliance (e.g., reward and reminder)
- Community education regarding youth access laws
- Media use to publicize compliance inspection results
- Community mobilization to increase support for retailer compliance with youth access laws

Other activities (*Please list.*) _____

Briefly describe all checked activities:

Arkansas Tobacco Control Board (ATCB) works with the ADAP's Prevention Resource Centers (PRCs) to provide tobacco merchant education throughout the state of Arkansas. The training consists of reviewing the sales to minors law and explaining the penalties for violating the law. The training also covers what specific items are age restricted according to the law. Each student receives a driver's license brochure showing how to recognize an underage ID by the color coding and vertical format. The class gives each student an opportunity to ask any questions they may have.

ATCB recognizes a job well done by sending out what is called a "good news" letter within 24 hours of a passed compliance check. The letter is generated and mailed to the store's home office stating the date and time the check occurred and that the store passed. The letter encourages management and their employees to keep up the good work.

ADAP's Regional Prevention Resource Centers (PRCs) are required to provide merchant education in their regions to assist with reducing sales of tobacco to underage youth. Also, each region may choose to have the list of merchants who did not sell to youth during the Synar checks reported in their local paper to recognize and congratulate those who were in compliance with the law. PRCs also participate as members in local tobacco coalitions.

In local communities throughout the state, the Arkansas Department of Health's (ADH) Hometown Health Initiative helps in promoting tobacco prevention in addition to the ADH Tobacco Prevention and Cessation Program's (TPCP) funded coalitions. ADH/TPCP's community-based coalitions' media activities include print and radio advertising, billboards, letters to the editor and press releases on topics involving the dangers of tobacco use and secondhand smoke as well as promotion of local tobacco cessation resources. A small percentage of the coalitions have done some local television advertising and/or local news stories.

Through the Master Settlement Agreement (MSA), the Arkansas Department of Health, Tobacco Prevention and Cessation Program (TPCP) supports local prevention and cessation efforts. The statewide tobacco counter-marketing activities, branded as SOS ("Stamp out Smoking" and "Stamp out Smokeless"), include paid print, radio and television advertising on topics involving the dangers of tobacco use and secondhand smoke and promote use of the Arkansas Tobacco Quitline. The paid advertising targets both youth and adult audiences, particularly urging them to call the Quitline. Other health communication intervention activities include press releases, radio/television news stories, editorials and event sponsorships (state and county fairs and other county festivals). These messages are strategically designed to target specific demographics through grassroots efforts as well as various types of media, such as print, television, radio, and internet. SOS has been instrumental in building favorable outcomes through its tobacco counter-marketing campaign. Since the

inception of SOS, media recall for the Stamp Out Smoking brand averages 79%. Additional indicators of success are the numbers of Public Services Announcements, community events, and media advertisement funds leveraged.

Since fiscal year 2003 local coalitions and community-based tobacco control programs have been funded. In fiscal year 2009, twenty-two programs were supported and in FY2009, 17 community grants were funded for \$1.3 million. These programs are responsible for engaging youth in developing and implementing tobacco control interventions; developing partnerships with local organizations; conducting educational programs for young people, parents, enforcement officials, community and business leaders, health care providers, school personnel, and others; promoting governmental and voluntary policies to strengthen the Clean Indoor Air Act, restricting access to tobacco products, promoting cessation treatment and achieving other policy objectives; and educating on successful health initiatives regarding tobacco prevention.

Since fiscal year 2003, school-based and youth programs have been funded. These programs have been responsible for providing evidence-based tobacco prevention programs including curricula for all grade levels K-12 and implementing comprehensive tobacco control policies in all the funded schools. While these programs have been successful, in fiscal year 2008 a coordinated school health initiative was implemented. The Coordinated School Health initiative is a collaborative effort designed to provide children with the education, environment and services necessary for optimal health and academic outcomes. Currently there are twenty programs covering 20 school districts funded for \$1.5 million.

Since fiscal year 2002 the Coalition for Tobacco Free Arkansas (CTFA) has been funded as the statewide coalition. The CTFA is responsible for providing education and training to community coalitions across the state who share a common mission to prevent the use of tobacco in Arkansas. CTFA hosts an annual statewide conference with topics that range from community mobilization, to methods for increasing public awareness of the negative effects of tobacco. CTFA also provides training on anti-tobacco practices and policies for the community-based grantees, distributes information on tobacco control issues in the state, and tracks tobacco policies and regulations. Since the passage of the Clean Indoor Air Act, the CTFA has focused on training the community coalitions on the regulations and how to increase compliance.

Since fiscal year 2002 the Family Service Agency's Youth Leadership Initiative is a statewide anti-tobacco youth movement committed to preventing the initiation of tobacco use among youth. A grant is provided to the Family Service Agency to support the Y.E.S! Teams and the Tobacco Control Youth Board (TCYB) in tobacco control efforts. Y.E.S! uses ads and public service announcements to communicate its anti-smoking messages, as well as powerful peer-to-peer and word-of-mouth campaigns. Arkansas teens speak at events throughout the state to declare that Y.E.S!— We Say No to Tobacco! Currently there are 55 Y.E.S! team leaders with more than 1,000 Y.E.S! team members across the state.

- d. Are citations or warnings issued to retailers or clerks who sell tobacco to minors for inspections that are part of the Synar survey?** Yes No

If “Yes” to 5d, please describe the State’s procedure for minimizing risk of bias to the survey results from retailers alerting each other to the presence of the survey teams:

N/A

SYNAR SURVEY METHODS AND RESULTS

The following questions pertain to the survey methodology and results of the Synar survey used by the State to meet the requirements of the Synar Regulation in FFY 2009 (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130).

6. **Has the sampling methodology changed from the previous year?** Yes No

The State is required to have an approved up-to-date description of the Synar sampling methodology on file with CSAP. Please submit a copy of your Synar Survey Sampling Methodology (Appendix B). If the sampling methodology changed from the previous reporting year, these changes must be reflected in the methodology submitted.

7. **Please answer the following questions regarding the State's annual random, unannounced inspections of tobacco outlets** (see 45 C.F.R. 96.130(d)(2)).

- a. **Did the State use the optional Synar Survey Estimation System (SSES) to analyze the Synar survey data?** Yes No

If Yes, attach SSES summary tables 1, 2, 3, and 4 to the hard copy of the ASR and upload a copy of SSES tables 1-5 (in Excel) to WebBGAS. Then go to Question 8. If No, continue to Question 7b.

SSES Table 1
(Synar Survey Estimates and Sample Sizes)

CSAP-SYNAR REPORT

State	ARKANSAS
Federal Fiscal Year (FFY)	2010
Date	09/22/2009 11:50
Data	SYNAREXPORT2009 FFY 2010.xls
Analysis Option	Stratified Clustered with FPC

Estimates

Unweighted Retailer Violation Rate	4.7%
Weighted Retailer Violation Rate	4.6%
Standard Error	1.1%
Is SAMHSA Precision Requirement met?	YES
Right-sided 95% Confidence Interval	[0.0%, 6.3%]
Two-sided 95% Confidence Interval	[2.5%, 6.6%]
Design Effect	1.3
Accuracy Rate (unweighted)	82.9%
Accuracy Rate (weighted)	80.8%
Completion Rate (unweighted)	99.6%

Sample Size for Current Year

Effective Sample Size	133
Target (Minimum) Sample Size	207
Original Sample Size	614
Eligible Sample Size	509
Final Sample Size	507
Overall Sampling Rate	15.3%

SSES Table 2 (Synar Survey Results by Stratum and by OTC/VM)

STATE: ARKANSAS
FFY: 2010

Samp. Stratum	Var. Stratum	Outlet Frame Size	Estimated Outlet Population Size	Number of PSU Clusters Created	Number of PSU Clusters in Sample	Outlet Sample Size	Number of Eligible Outlets in Sample	Number of Sample Outlets Inspected	Number of Sample Outlets in Violation	Retailer Violation Rate(%)	Standard Error(%)
All Outlets											
1	1	409	332	29	6	52	40	39	2	5.4%	
10	10	197	166	15	6	43	40	40	2	5.1%	
11	11	218	176	17	6	43	37	37	2	5.4%	
12	12	225	176	16	6	47	39	39	3	7.8%	
13	13	166	150	13	6	48	41	41	2	4.9%	
2	2	181	143	14	6	45	37	37	0	0.0%	
3	3	314	270	23	6	46	43	43	1	2.3%	
4	4	296	265	22	6	49	44	43	5	11.3%	
5	5	380	275	29	6	46	34	34	1	3.0%	
6	6	280	252	22	6	48	42	42	1	2.3%	
7	7	269	207	19	6	49	38	38	1	2.6%	
8	8	309	246	22	6	48	39	39	3	7.7%	
9	9	746	511	52	6	50	35	35	1	2.8%	
Total		3,990	3,169	293	78	614	509	507	24	4.6%	1.1%
Over the Counter Outlets											
1	1	405	332	29	6	52	40	39	2	5.4%	
10	10	196	166	15	6	43	40	40	2	5.1%	
11	11	218	176	17	6	43	37	37	2	5.4%	
12	12	224	176	16	6	47	39	39	3	7.8%	
13	13	166	150	13	6	48	41	41	2	4.9%	
2	2	181	143	14	6	45	37	37	0	0.0%	
3	3	314	270	23	6	46	43	43	1	2.3%	
4	4	295	265	22	6	49	44	43	5	11.3%	
5	5	322	275	29	6	40	34	34	1	3.0%	
6	6	278	252	22	6	47	42	42	1	2.3%	
7	7	269	207	19	6	49	38	38	1	2.6%	
8	8	287	246	22	6	45	39	39	3	7.7%	
9	9	693	511	52	6	45	35	35	1	2.8%	
Total		3,848	3,169	293	78	599	509	507	24	4.6%	1.1%
Vending Machines											
1	1	4	0	29	6	0	0	0	0	0.0%	
10	10	1	0	15	6	0	0	0	0	0.0%	
11	11	0	0	17	6	0	0	0	0	0.0%	
12	12	1	0	16	6	0	0	0	0	0.0%	
13	13	0	0	13	6	0	0	0	0	0.0%	
2	2	0	0	14	6	0	0	0	0	0.0%	
3	3	0	0	23	6	0	0	0	0	0.0%	
4	4	1	0	22	6	0	0	0	0	0.0%	
5	5	58	0	29	6	6	0	0	0	0.0%	
6	6	2	0	22	6	1	0	0	0	0.0%	
7	7	0	0	19	6	0	0	0	0	0.0%	

8	8	22	0	22	6	3	0	0	0	0.0%	
9	9	53	0	52	6	5	0	0	0	0.0%	
Total		142	0	293	78	15	0	0	0	0.0%	0.0%

SSES Table 3 (Synar Survey Sample Tally Summary)

STATE:
 ARKANSAS
 FFY: 2010

Disposition Code	Description	Count	Subtotal
EC	Eligible and inspection complete outlet	507	
Total (Eligible Completes)			507
N1	In operation but closed at time of visit	0	
N2	Unsafe to access	1	
N3	Presence of police	0	
N4	Youth inspector knows salesperson	0	
N5	Moved to new location but not inspected	0	
N6	Drive thru only/youth inspector has no drivers license	0	
N7	Tobacco out of stock	1	
N8	Run out of time	0	
N9	Other noncompletion	0	
Total (Eligible Noncompletes)			2
I1	Out of Business	25	
I2	Does not sell tobacco products	23	
I3	Inaccessible by youth	32	
I4	Private club or private residence	10	
I5	Temporary closure	3	
I6	Can't be located	10	
I7	Wholesale only/Carton sale only	2	
I8	Vending machine broken	0	
I9	Duplicate	0	
I10	Other ineligibility	0	
Total (Ineligibles)			105
Grand Total			614

SSES Table 4 (Synar Survey Inspection Results by Youth Inspector Characteristics)

STATE:
ARKANSAS
FFY: 2010

Frequency Distribution

Gender	Age	Number of Inspectors	Attempted Buys	Successful Buys
Male	14*	1	1	1
	15	20	125	2
	16	20	117	10
	17	0	0	0
	18	0	0	0
	Subtotal		41	243
Female	14	0	0	0
	15	20	120	6
	16	23	144	5
	17	0	0	0
	18	0	0	0
	Subtotal		43	264
Other		0	0	0
Grand Total		84	507	24

Buy Rate in Percent by Age and Gender

Age	Male	Female	Total
14	100.0%	0.0%	100.0%
15	1.6%	5.0%	3.3%
16	8.5%	3.5%	5.7%
17	0.0%	0.0%	0.0%
18	0.0%	0.0%	0.0%
Other			0.0%
Total	5.3%	4.2%	4.7%

* Approved Synar protocol requires AR youth inspectors to be 15 or 16 years old. Review of completed compliance checks identified that a 14 year old inspector conducted an inspection that resulted in a buy. Even though the youth was outside the protocol age range, that “buy” has been included in the statistical analysis of the data.

In order to reinforce the need for following protocol, ADAP took corrective action by requiring the negligent PRC to conduct another inspection of the same merchant using an age-appropriate youth. The second inspection resulted in a “no-sale” (and is NOT included in the data analysis).

8. Did the State's Synar survey use a list frame? Yes No

If Yes, answer the following questions about its coverage.

a. The calendar year of the latest frame coverage study: 2007

b. Percent coverage from the latest frame coverage study: 100%

c. Was a new study conducted in this reporting period? Yes No

If Yes, please complete Appendix D (List Sampling Frame Coverage Study) and submit it with the Annual Synar Report.

d. The calendar year of the next coverage study planned: Fall 2009

9. Has the Synar survey inspection protocol changed from the previous year?

Yes No

The State is required to have an approved up-to-date description of the Synar inspection protocol on file with CSAP. Please submit a copy of your Synar Survey Inspection Protocol (Appendix C). If the inspection protocol changed from the previous year, these changes must be reflected in the protocol submitted.

a. Provide the inspection period: From 05/30/09 To 08/26/09
MM/DD/YY MM/DD/YY

b. Provide the number of youth inspectors used in the current inspection year:
84

NOTE: If the State uses SSES, please ensure that the number reported in 9b matches that reported in SSES Table 4, or explain any difference.

SECTION II: FFY 2010 (Intended Use):

Public law 42 U.S.C. 300x-26 of the Public Health Service Act and 45 C.F.R. 96.130 (e) (4, 5) require that the States provide information on future plans to ensure compliance with the Synar requirements to reduce youth tobacco access.

1. In the upcoming year, does the State anticipate any changes in the:

Synar sampling methodology Yes No

Synar inspection protocol Yes No

If changes are made in either the Synar sampling methodology or the Synar inspection protocol, the State is required to obtain approval from CSAP prior to implementation of the change and file an updated Synar Survey Sampling Methodology (Appendix B) or an updated Synar Survey Inspection Protocol (Appendix C), as appropriate.

2. Please describe the State's plans to maintain and/or reduce the target rate for Synar inspections to be completed in FFY 2010. Include a brief description of plans for law enforcement efforts to enforce youth tobacco access laws, activities that support law enforcement efforts to enforce youth tobacco access laws, and any anticipated changes in youth tobacco access legislation or regulation in the State.

Arkansas continues to work hard in its effort to reduce youth access to tobacco. Arkansas has strong enforcement of underage tobacco laws through the large number of compliance checks that are conducted annually by Arkansas Tobacco Control (ATCB). During the period of October 1, 2008, through September 30, 2009, ATCB conducted 4529 compliance checks at 3,083 different locations.

ATCB has continued conducting sales-to-minor saturations where several agents perform compliance checks simultaneously in one area. These saturations result in more accurate compliance check results because it does not give stores the opportunity to alert neighboring stores that ATCB is in the area.

Sales-to-minor violations stay on a store's record for 48 months. For each offense in that 48 month period, penalties escalate. As a result, retailers with multiple sales-to-minor violations face more severe penalties. A total of \$38,200 in fines was issued this year, including 37 suspensions totaling 126 days.

As penalties have increased over time, retailers have begun to work harder to equip their employees with the tools and knowledge necessary to make responsible tobacco sales. ATCB continues to offer a certified training program for retailers who go above-and-beyond in their training efforts. A total of 22 companies, covering 202 stores have applied and met the criteria for this since it was first offered in 2006. Many other retailers have their employees attend regional merchant education seminars conducted by ATCB. During the period of October 1, 2008, through September 30, 2009, 37 regional trainings and 11 individual store trainings were held, with a total of 1,311 employees in attendance. In some cases the Board mandated a store to attend training in its area because of the stores high violation rate. There have been five stores required to attend training, since January 2008.

ATCB plans to continue its enforcement and training efforts around the state that has led to the success that we have experienced. In the coming year, we plan to conduct at least 4,000 compliance checks and at least 40 regional training sessions at locations around the state.

3. Describe any challenges the State faces in complying with the Synar regulation. (Check all that apply.)

- Limited resources for law enforcement of youth access laws
- Limited resources for activities to support enforcement and compliance with youth tobacco access laws
- Limitations in the State youth tobacco access laws
- Limited public support for enforcement of youth tobacco access laws
- Limitations on completeness/accuracy of list of tobacco outlets
- Limited expertise in survey methodology
- Laws/regulations limiting the use of minors in tobacco inspections
- Difficulties recruiting youth inspectors
- Geographic, demographic, and logistical considerations in conducting inspections
- Cultural factors (e.g., language barriers, young people purchasing for their elders)
- Issues regarding sources of tobacco under tribal jurisdiction
- Other challenges (*Please list.*) _____

Briefly describe all checked challenges and propose a plan for each, or indicate the State's need for TA related to each relevant challenge.

It is frequently difficult to identify and recruit youth willing to assist with compliance inspections who appropriately reflect the demographics of the youth in a particular community. Parents often do not want their children involved in the inspections. It is very difficult for the PRCs to identify an adequate number of 15-16 year olds who are willing to assist and whose parents agree for them to do so. And of the parents that do agree, many require that their child not conduct inspections in their own communities due to stigma should their neighbors or friends see their child attempting to purchase tobacco.

Arkansas is basically a rural state comprised of small towns and a diverse terrain--both of which directly impact the Synar efforts. There are often large distances between outlets which make conducting an inspection of a single outlet an extensive effort in both time and mileage costs. Also, many tobacco outlets are very isolated such as a bait and tackle store located on a peninsula in an AR lake. In order to access this outlet, one must either go by boat or drive from Missouri down to the tip of the peninsula. There is no way to access a remote site without being conspicuous.

In rural areas and small towns, strangers or people of a different race stand out. Also, as merchants know the area residents, they are much less likely to sell to an "outsider." As the Hispanic population in Arkansas continues to increase, so do the number of Spanish-speaking establishments. In many of these establishments, the clerks can only speak Spanish. Thus, there may be instances when inspections cannot be completed because a

youth inspector is unable to communicate with the clerk.

APPENDICES B & C: FORMS

APPENDIX B: SYNAR SURVEY SAMPLING METHODOLOGY

State: Arkansas
 FFY: 2010

1. What type of sampling frame is used?

- List frame (*Go to Question 2.*)
- Area frame (*Go to Question 3.*)
- List-assisted area frame (*Go to Question 2.*)

2. List all sources of the list frame. Indicate the type of source from the list below. Provide a brief description of the frame source. Explain how the lists are updated (method), including how new outlets are identified and added to the frame. In addition, explain how often the lists are updated (cycle). (*After completing this question, go to Question 4.*)

Use the corresponding number to indicate Type of Source in the table below.

- | | |
|---|--|
| 1 – Statewide commercial business list | 4 – Statewide retail license/permit list |
| 2 – Local commercial business list | 5 – Statewide liquor license/permit list |
| 3 – Statewide tobacco license/permit list | 6 – Other |

Name of Frame Source	Type of Source	Description	Updating Method and Cycle
AR Tobacco Control Board	3	List of State tobacco retail permit holders	Continuous update. Sample drawn from the most up-to-date tobacco license list.

3. If an area frame is used, describe how area sampling units are defined and formed.

- a. Is any area left out in the formation of the area frame?** Yes No

If Yes, what percentage of the State's population is not covered by the area frame?
 _____%

4. Federal regulation requires that vending machines be inspected as part of the Synar survey. Are vending machines included in the Synar survey? Yes No

If No, please indicate the reason they are not included in the Synar survey.

- State law bans vending machines
- State law bans vending machines from locations accessible to youth
- State has SAMHSA approval to exempt vending machines from the survey
- Other (*Please describe.*) _____

5. Which category below best describes the sample design? (Check only one.)

Census (STOP HERE: Appendix B is complete.)

Unstratified State-wide sample:

Simple random sample (Go to Question 9.)

Systematic random sample (Go to Question 6.)

Single-stage cluster sample (Go to Question 8.)

Multi-stage cluster sample (Go to Question 8.)

Stratified sample:

Simple random sample (Go to Question 7.)

Systematic random sample (Go to Question 6.)

Single-stage cluster sample (Go to Question 7.)

Multi-stage cluster sample (Go to Question 7.)

Other (Please describe and go to Question 9.) _____

6. Describe the systematic sampling methods. (After completing Question 6, go to Question 7 if stratification is used. Otherwise go to Question 9.)

N/A

7. Provide the following information about stratification.

a. Provide a full description of the strata that are created.

The state is geographically stratified into 13 strata – Alcohol and Drug Abuse Prevention Resource Regions. The 13 PRC regions are contiguous clusters of counties. This is the first sampling stratum.

b. Is clustering used within the stratified sample?

Yes (Go to Question 8.)

No (Go to Question 9.)

8. Provide the following information about clustering.

a. Provide a full description of how clusters are formed. (If multi-stage clusters are used, give definitions of clusters at each stage.)

Some clusters (PSUs) are a single county, and some are a fraction of a county based on longitude, so that each cluster has between 13 and 26 outlets.

b. Specify the sampling method (simple random, systematic, or probability proportional to size sampling) for each stage of sampling and describe how the method(s) is (are) implemented.

The first stage of sampling is the selection of 6 PSUs from each stratum using SRS (Simple Random Sampling). The second stage is selection of outlets from sample PSUs at a constant rate via SRS.

9. Provide the formulae for determining the effective, target, and original outlet sample sizes.

$$\text{Effective Sample Size} = n' = \frac{n}{\left(1 + \frac{n}{N}\right)}; \text{ where}$$

N = population size (total outlets),

$$n = \frac{p(1-p)}{(0.0182)^2},$$

p = violation rate from the previous year's survey.

The denominator 0.0182 is based on a 3% tolerance of one-sided 95% CI.

Target Sample size = $n_t = Deff \times n'$; where

$$\text{Design Effect (Deff)} = \{1 + (m-1)\rho\}(1 + CV_w^2),$$

m = average cluster size,

ρ = intra-class correlation,

CV_w = coefficient of variation of the sample weights.

$$\text{Original sample size} = n_o = \frac{n_t}{r_a r_c}; \text{ where}$$

r_a = accuracy rate from previous year.

r_c = completion rate from previous year.

NOTE: Actual sample size drawn is about 10% more than the original sample size.

Design effect used in the calculations:

$Deff = (1 + (n-1) * \rho) * (1 + V) = 1.55$, where n is the average cluster size, ρ is the intraclass correlation, and V is the coefficient of variation of the weights.

Average cluster size, n , is the target sample size/number of clusters, ρ is estimated *a priori* as 0.05, and V is computed from the previous year sample.

APPENDIX C: SYNAR SURVEY INSPECTION PROTOCOL

State: Arkansas

FFY: 2010

Note: Upload to WebBGAS a copy of the Synar inspection form under the heading "Synar Inspection Form" and a copy of the protocol used to train inspection teams on conducting and reporting the results of the Synar inspections under the heading "Synar Inspection Protocol."

1. How does the State Synar survey protocol address the following?

a. Consummated buy attempts?

- Required Not Permitted
 Permitted under specified circumstances Not specified in protocol

b. Youth inspectors to carry ID?

- Required Not Permitted
 Permitted under specified circumstances Not specified in protocol

c. Adult inspectors to enter the outlet?

- Required Not Permitted
 Permitted under specified circumstances Not specified in protocol

d. Youth inspectors to be compensated?

- Required Not Permitted
 Permitted under specified circumstances Not specified in protocol

2. Identify the agency(ies) or entity(ies) that actually conduct the random, unannounced Synar inspections of tobacco outlets. (Check all that apply.)

- Law enforcement agency(ies)
 State or local government agency(ies) other than law enforcement
 Private contractor(s)
 Other

List the agency name(s): 13 Regional Prevention Resource Centers (PRC)

3. Are Synar inspections combined with law enforcement efforts (i.e., do law enforcement issue warnings or citations to retailers found in violation of the law at the time of the inspection)?

- Always Usually Sometimes Rarely Never

While not directly linked, all Synar sales generate a complaint against that retailer which ATCB works within 30 days.

4. Describe the methods used to recruit, select, and train youth inspectors and adult supervisors.

The PRCs recruit youth inspectors and adults from each of their Regions at the county and local level. They also may recruit and obtain youth from ADAP funded grant programs located in their region, since some of the ADAP grantees have staff and/or youth ages 15 and 16 that would be available to assist with conducting the compliance checks. Once the appropriate number of youth and adult supervisors are selected, the PRCs train all the youth inspectors and adult supervisors on the inspection methodology and protocol for conducting the compliance checks.

PRCs attend the annual Synar training and are then responsible for training their youth volunteers and any adult volunteers they may choose to use. PRCs sometimes bring adult volunteers to the Synar training.

5. Are there specific legal or procedural requirements instituted by the State to address the issue of youth inspectors' immunity when conducting inspections?

a. Legal **Yes** **No** *(If Yes, please describe.)*

Arkansas legislation states that it shall not be an offense if the minor was acting at the direction of an employee or authorized agent of a governmental agency authorized to enforce or ensure compliance with laws relating to the prohibition of the sale of tobacco in any form or cigarette papers to such minors. The Synar Youth Inspectors are under the auspices of an authorized agency.

b. Procedural **Yes** **No** *(If Yes, please describe.)*

6. Are there specific legal or procedural requirements instituted by the State to address the issue of the safety of youth inspectors during all aspects of the Synar inspection process?

a. Legal **Yes** **No** *(If Yes, please describe.)*

b. Procedural **Yes** **No** *(If Yes, please describe.)*

If the selected location is deemed unsafe by the adult driver and/or youth under the age of eighteen (18) or twenty-one (21) years, then the check should not be conducted. ADAP provides authorized adults to accompany youth inspectors on inspections during the specified period as a safety protocol and for quality control.

7. Are there any other legal or procedural requirements the State has regarding how inspections are to be conducted (e.g., age of youth inspector, time of inspections, training that must occur)?

a. Legal **Yes** **No** *(If Yes, please describe.)*

The State law limits who may conduct inspections (Arkansas Tobacco Control Board, an authorized agent of the Arkansas Department of Health, Arkansas State Police and local law enforcement officials).

b. Procedural **Yes** **No** *(If Yes, please describe.)*

Youth inspectors must be 15 or 16 years of age, have written parental approval to participate, and be trained by the Prevention Resource Center staff prior to conducting inspections. Established protocol outlines the procedures for conducting the inspections. ADAP provides authorized adults to accompany youth inspectors on inspections during the specified period as a safety protocol and for quality control.

**ARKANSAS DEPARTMENT OF HUMAN SERVICES
DIVISION OF BEHAVIORAL HEALTH SERVICES
ALCOHOL AND DRUG ABUSE PREVENTION**

Synar Inspection Protocol

Youth Recruitment

1. Only adolescents ages 15-16 will be recruited to conduct the study.
2. The age, race, and gender distribution of youth participants should reflect the distribution of the county.
3. Attempt to recruit enough youth so that no youth should make more than 9 visits.
4. Youth should look and dress their age.

Youth Training ~ Documenting Participants

1. Record data on youth participants and adults on appropriate sheets.
2. Obtain parental consent for each youth participating in the survey.
3. Keep parental consent forms on file at the agency conducting the checks.
4. Provide adult volunteers assisting in the checks with authorization letters from DHS/DBHS/ADAP.
5. Be sure that each participant, WHO MADE THE PURCHASE, has initialed the form.
6. Return every single outlet form to ADH Health Statistics, regardless of visit or non-visit.

Training of Minors

1. Remind of the purpose, and goal of the survey.
2. Make sure that all participants understand the procedures and protocol.
3. Review how to make a “buy”.
4. Instruct youth not to take their IDs into the outlet.
5. Instruct youth that if the clerk asks his/her age, the youth is to give his/her exact age.
6. Instruct youth not to attempt to purchase tobacco in stores if they know someone who works there or is present at the time of visit.
7. Prepare participants for what to expect.
8. Review the inspection forms and how they are to be completed.

Reasons for Ineligibility or Non-Visit

- ❑ Does not sell
- ❑ Inaccessible to youth
- ❑ No longer in business
- ❑ Unable to locate
- ❑ Not open during day
- ❑ Seasonal business
- ❑ Restricted Access
- ❑ Unsafe
- ❑ Broken vending machine

Data Collection ~ Over the Counter

1. The adult volunteer will locate and drive the youth volunteer to the establishment designated for OTC inspection.
2. The adult volunteer will park out of sight.
3. The youth volunteer will enter the establishment. The youth will not take forms into the store.
4. If the tobacco products are located away from the counter, the youth will choose a particular product and carry it to the clerk for check out.
5. If the tobacco products are located behind the counter, the youth will ask the clerk for assistance in obtaining the product.
6. The youth can choose to purchase other items, such as gum or candy, along with the tobacco product.
7. If the clerk asks the youth volunteer his/her age, the youth volunteer will give his exact age.
8. If the clerk makes the sale, the youth volunteer will take the tobacco product from the establishment, return to the car, give the product to the adult volunteer and provide the necessary information to complete the inspection form.
9. The adult volunteer will document all tobacco products purchased with the outlet code on the pack and date of purchase.
10. If the clerk refuses the sale, the youth will leave the establishment and note that there was no sale on the inspection form.
11. Forward to ADAP all properly labeled tobacco products purchased as a result of Synar compliance checks.
12. Fax a copy of completed inspection form denoting a sale to the Arkansas Tobacco Control Board.

Special Instructions for Vending Machines

1. The adult volunteer will locate and drive the youth volunteer to the retail outlet designated for vending machine inspections.
2. The youth volunteer is to enter establishment and seek out vending machine. If the youth volunteer cannot find the vending machine, he/she is to ask the attendant where the vending machine is located.
3. The sample frame will uniformly consist of individual vending machines. In cases where the machines are listed as a group, the listing will be expanded so that each machine will be assigned an individual number, i.e. 1 of 3, 2 of 3, etc. The inspectors will attempt to identify all vending machines in a premise and number them left to right, going clockwise from the entrance point. The inspection will be conducted only on the individual vending machine or machines that are listed in the sample. If, for example, the sample form indicates to inspect machine 1 of 2, the inspector will inspect the first machine encountered on the left of the entrance, sweeping around the establishment in the clockwise direction.
4. Upon identifying the vending machine, the youth volunteer is to purchase tobacco from the vending machine unless attendant questions the youth volunteer.
 - If asked about his/her age, the youth volunteer will respond with his/her actual age and unless told by the attendant that they cannot purchase, the youth volunteer is to purchase the tobacco from the vending machine.
 - If told he/she cannot purchase, the youth volunteer will leave the outlet.
5. Once the youth volunteer has completed the purchase, the youth will exit the outlet, return to the car, give the cigarettes to the adult volunteer and provide the necessary information to complete the inspection form.

SALE

2009 OTC SYNAR SURVEY

NO SALE

Note: To be completed immediately after each check. Answer all questions completely

PSU «psu»

«Name» _____ «PhysicalAddress1» _____ «PhysicalCity», «PhysicalState» «MAILZIP» _____ OWNER: «Owner» _____ «PHONE1» _____ PERMIT#: «PermitNumber» _____	DATE OF CHECK (MONTH, DAY, YEAR) _____/_____/_____ Time of check _____ (AM or PM)
---	--

NAME OF ADULT SUPERVISOR: _____ TELEPHONE: () _____

IS THE OUTLET INELIGIBLE?

I1 Out of business	I2 Does not sell tobacco products	I3 Inaccessible to youth	<input type="checkbox"/>
I4 Private club or residence	I5 Temporary closure	I6 Unlocatable	
I7 Wholesale only	I10 Other ineligible reason (Explain) _____		

STOP if any of these reasons apply.

OUTLET NOT INSPECTED (Eligible non-completes)

N2 Unsafe to access	N5 Moved to a new location	N6 Drive-through only/ youth inspector has no license	<input type="checkbox"/>
N7 Tobacco out of stock	N8 Run out of time	N9 Other non-completion reasons (Explain) _____	

STOP filling out form for any of the above reasons.

NI In operation but closed at time of visit

Return with another youth First attempt Second attempt Third attempt

Date: _____ Date: _____

TYPE OF OUTLET

1. Gas station only	2. Convenience (with gas)	3. Convenience (no gas)	4. Small food store (deli)
5. Supermarket/Grocery store	6. Drug store/pharmacy	7. Liquor store	8. Discount store
9. Hotel/motel	10. Restaurant	11. Tobacco outlet	12. Bar/club

13. Other (describe): _____

Complete this section ONLY IF OUTLET WAS INSPECTED

YOUTH'S INITIALS: _____ YOUTH'S GENDER: FEMALE MALE YOUTH'S AGE: _____

(Max of one youth per form)

YOUTH'S RACE: White Black Hispanic Asian Other

STATUS OF THE INSPECTION
(Check one - Also mark box on top of page!)

Sale Occurred Purchase attempted Sale Refused

HOW WAS THE TOBACCO PLACED FOR SALE

Picked up tobacco without asking (self-serve) Had to ask clerk for tobacco (behind the counter)

Were you asked your age? Yes No Were you asked for identification? Yes No

Was there a NO SALES TO MINORS sign posted at the point of purchase? Yes No

Was a Tobacco Vending Machine PRESENT? Yes No

Type of tobacco attempted to buy: Cigarettes Cigars Bidis Smokeless/Spit Tobacco

INFORMATION ON CLERK
If necessary, the adult escort may wish to go back into store to collect this information. CIRCLE ONE:

Was the clerk (1) Female (2) Male

Height of the clerk (1) Short (2) Average (3) Tall

How old was the clerk? (1) Teenager (2) Young adult (3) Adult (4) Senior

Race the clerk? (1) Black (2) White (3) Hispanic (4) Asian (5) Other

Hair color: _____

Clerk's Name (only if available without asking): _____

Describe other distinguishing characteristics (e.g. birth mark): _____

Location of sales counter: _____

COMMENTS: _____

Checked for accuracy by Prevention Resource SYNAR Coordinator: _____ Date signed: _____

SALE**VENDING MACHINE****NO SALE****2009 SYNAR DATA COLLECTION FORM***Note: To be completed immediately after each check. Answer all questions completely*

PSU «PSU»

«Name» «PhysicalAddress1» «PhysicalCity», «PhysicalState» «MAILZIP» Inspect # «machine» of «NUMBER» machines Permit#: «PermitNumber»	DATE OF CHECK (MONTH, DAY, YEAR) _____ Time of check: _____ (AM or PM) NAME OF ADULT ESCORT TELEPHONE: () _____																
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<p style="text-align: center;">Complete this section ONLY IF SALE OCCURRED: If necessary, the adult escort may wish to go back into store to collect this information.</p> Location of Vending Machine: _____ Stamp #: _____ 2008 (BRIGHT PINK) OR _____ 2009 (LAVENDER)																	
COMMENTS: _____																	

Checked for accuracy by Prevention Resources SYNAR Coordinator _____ Date signed: _____