

ANNUAL SYNAR REPORT

42 U.S.C. 300x-26

OMB № 0930-0222

Oregon

FFY 2008

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 (0930-0222); 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 2007 Compliance Progress) and future plans to ensure compliance with the Synar requirements to reduce youth tobacco access rates (FFY 2008 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 Substance Abuse and Mental Health Services Administration's (SAMHSA) 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 SAMHSA/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 and Community Assistance at 240-276-2570 and ask for your respective State Project Officer, or contact your State Project Officer directly by telephone or e-mail using the directory provided. 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 240-276-1404.

Where and when to submit the Annual Synar Report

The Annual Synar Report (ASR) must be received by SAMHSA no later than December 31, 2007. 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.

Submit one signed original of the report, one additional copy, and an electronic version on either CD-ROM or 3.5" diskette to the Grants Management Officer at the address below:

Grants Management Officer
Office of Program Services, Division of Grants Management
Substance Abuse and Mental Health Services Administration

Regular Mail:

1 Choke Cherry Road, Room 7-1091
Rockville, Maryland 20857

Overnight Mail:

1 Choke Cherry Road, Room 7-1091
Rockville, Maryland 20850

FFY 2008: 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 2008 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 2008 is up-to-date and approved by the Center for Substance Abuse Prevention.	
State: Oregon	
Name of Chief Executive Officer or Designee: Bruce Goldberg, MD	
Signature of CEO or Designee:	
Title: <u>Director, Department of Human Services</u>	Date Signed: _____
If signed by a designee, a copy of the designation must be attached	

SECTION I: FFY 2007 (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. Please attach a photocopy of the change(s) in the State law(s) if any was made since the last reporting year. (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 impacts 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. (Check all that apply)

Placed on file for public review

Posted on a State agency Web site (Specify Web site location:
<http://www.oregon.gov/DHS/addiction/index.shtml>)

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(s) designated by the Governor for oversight of the Synar requirements:

Department of Human Services (DHS) through its Addictions and Mental Health Division (AMH)

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

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

DHS through its Addictions and Mental Health Division (AMH)

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

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

County and local law enforcement is responsible for enforcing youth tobacco access laws.

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

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

Public Health Division of DHS through the Tobacco Prevention & Education Program (TPEP)

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 control and the agency responsible for oversight of the Synar requirements. The two agencies (*check all that apply*):

- 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 2007. (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(s).
- 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 or indicate if these data are unavailable or the item is not applicable.

PENALTY	NOT APPLICABLE	NOT AVAILABLE	TOTAL	If Available	
				OWNERS	CLERKS
Number of <u>citations issued</u>			97		97
Number of <u>finest assessed</u>		<input type="checkbox"/>	97		97
Number of <u>permits/licenses suspended</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
Number of <u>permits/licenses revoked</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
<i>Other (please describe):</i>					

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:

- **Merchant education and/or training:** DHS-AMH continues to provide merchant education materials to retailers as requested. The merchant education materials are currently under revision to update information and design the documents so they can be accessible through the Internet. In addition, documents will be translated for businesses employing Spanish, Russian, and Korean employees. Information about Oregon laws related to youth access and sales of tobacco to minors, as well as store signage and clerk-training materials are available at no cost. In addition, the Synar Coordinator and local tobacco prevention coordinators provide retailer training throughout the year to retailers and retail associations.
- **Incentives for merchants who are in compliance:** In addition to statewide activities related to retailer compliance, many local coalitions and law enforcement agencies conduct reward and reminder visits throughout Oregon. Unfortunately, there is no organized network to report local findings on these visits. However, in all cases, clerks and/or stores are rewarded for refusing to sell tobacco to minors. These are a variety of rewards ranging from cash awards, restaurant and movie rental certificates, to “Thank You” certificates for stores whose clerks refuse to sell.
- **Community education regarding youth access laws:** Oregon’s Tobacco Prevention and Education Program (TPEP), housed in the Public Health Division and funded by a voter initiated tobacco tax increase (Ballot Measure 44), has been multi-faceted since it began in 1997. The program addresses tobacco use and prevention by supporting community-based programs and coalitions; school-based tobacco prevention programs; tribal tobacco prevention programs in our federally-recognized Native American Tribes; multi-cultural programs addressing the specific needs of many of the state’s minority populations; a statewide tobacco quit line; and a very successful electronic and print media campaign. The 2007 legislative session was very productive for TPEP. Oregon’s Legislature reinstated full funding of Ballot Measure 44 and passed Oregon’s Indoor Clean Air Act, Oregon’s Smoke-free Workplace Law.
 - The reinstatement of funding from Ballot Measure 44 allows TPEP to operate as they did prior to the reallocation of funds in the 2003 legislative session. TPEP’s focus is in line with the Center for Disease Control (CDC) recommendations to fund: community programs, enforcement, tobacco-related disease programs, school programs, statewide programs (including tribal and multicultural programs, training, clearinghouse), counter-marketing and cessation. All of these programs focus on enacting policy-based and/or systematic changes in order to reduce overall tobacco use.
 - Oregon’s Smoke-free Workplace Law goes into effect on January 1, 2009. The purpose of this law is to reduce the health hazards from inhaling smoke of tobacco products. The law extends to bars, taverns, bingo halls and bowling centers. Certain tobacco shops and certain cigar bars are exempt. The law is designed to protect workers from secondhand smoke, which can cause life-threatening disease:

December 31, 2007

"an employer shall provide a place of employment that is free of tobacco smoke for all employees." A place of employment is "every enclosed area under the control of a public or private employer that employees frequent during the course of employment." (Taken from: <http://www.oregon.gov/DHS/ph/smokefree/index.shtml>)

- **Media use to publicize compliance inspection results:** The media is used both by the DHS-AMH and local community/county groups to publicize compliance inspection results. At the state level, annual results of compliance inspections are reported through press releases. Occasional media events are also scheduled to focus attention on inspection results and promote the importance of keeping tobacco out of the hands of youth. In addition, local coalitions frequently use the local press to publicize their Reward and Reminder visit results.

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 2007. (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.

Oregon determined the sample size for the 2008 ASR using 20% rvr and a safety margin of 50%. These changes are reflected in Appendix B and approved by CSAP. A copy of the Appendix is on file with CSAP and part of this report.

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 and go to Question 8. Copies of the Tables attached.

If No, continue to Question 7b.

b. Report the weighted and unweighted Retailer Violation Rate (RVR) estimates, and the standard error.

Unweighted RVR _____

Weighted RVR _____

Standard error (s.e.) of the (weighted) RVR _____

Fill in the blanks to calculate the right limit of the right-sided 95% confidence interval.

$$\frac{\text{RVR Estimate}}{\text{RVR Estimate}} + \frac{(1.645 \times \text{Standard Error})}{(1.645 \text{ times Standard Error})} = \text{Right Limit}$$

c. Fill out Form 1 in Appendix A (Forms). (Required regardless of the sample design)

d. How were the (weighted) RVR estimate and its standard error obtained?

(Check the one that applies)

- Form 2 (Optional) in Appendix A (Forms) *(Attach completed Form 2)*
 Other *(Please specify. Provide formulae and calculations or attach and explain the program code and output with description of all variable names.)*

e. If stratification was used, did any strata in the sample contain only one outlet or cluster this year?

- Yes No No stratification

If Yes, explain how this situation was dealt with in variance estimation.

f. Was a cluster sample design used?

- Yes No

If No, go to Question 7g.

If Yes, fill out and attach Form 3 in Appendix A (Forms), and answer the following question:

Were any certainty primary sampling units selected this year?

- Yes No

If Yes, explain how the certainty clusters were dealt with in variance estimation.

g. Report the following outlet sample sizes for the Synar survey.

	Sample Size
Effective sample size (sample size needed to meet the SAMHSA precision requirement assuming simple random sampling)	
Target sample size (the product of the effective sample size and the design effect)	
Original sample size (inflated sample size of the target sample to counter the sample attrition due to ineligibility and non-completion)	
Eligible sample size (number of outlets found to be eligible in the sample)	
Final sample size (number of eligible outlets in the sample for which an inspection was completed)	

h. Fill out Form 4 in Appendix A (Forms).

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: There was no coverage study prior to 2007.

b. Percent coverage from the latest frame coverage study: Not applicable

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. Reported.

d. The calendar year of the next coverage study planned: 2011

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 copy of Appendix C attached.

a. Provide the inspection period: From: 01/01/2007 To: 06/30/2007
MM/DD/YY MM/DD/YY

b. Provide the number of youth inspectors used in the current inspection year:
15. Note that SSES reports in Table 4 only 14 as retailers inspected by one youth were all non-eligibles.

SSES Table 1 (Synar Survey Estimates and Sample Sizes)

CSAP-SYNAR REPORT

State	Oregon
Federal Fiscal Year (FFY)	2008
Date	12/5/2007 9:10
Data	SynarInspn_2008Rpt_Data.xls
Analysis Option	Stratified SRS with FPC

Estimates

Unweighted Retailer Violation Rate	15.6%
Weighted Retailer Violation Rate	15.6%
Standard Error	1.3%
Is SAMHSA Precision Requirement met?	YES
Right-sided 95% Confidence Interval	[0.0%, 17.7%]
Two-sided 95% Confidence Interval	[13.0%, 18.1%]
Design Effect	1.0
Accuracy Rate (unweighted)	88.2%
Accuracy Rate (weighted)	88.2%
Completion Rate (unweighted)	99.5%

Sample Size for Current Year

Effective Sample Size	424
Target (Minimum) Sample Size	424
Original Sample Size	709
Eligible Sample Size	625
Final Sample Size	622
Overall Sampling Rate	20.1%

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

STATE: Oregon
FFY: 2008

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	3,519	3,102	N/A	N/A	709	625	622	97	15.6%	
Total		3,519	3,102			709	625	622	97	15.6%	1.3%
Over the Counter Outlets											
1	1	3,519	3,102	N/A	N/A	709	625	622	97	15.6%	
Total		3,519	3,102			709	625	622	97	15.6%	1.3%
Vending Machines											
1	1	0	0	N/A	N/A	0	0	0	0	0.0%	
Total		0	0			0	0	0	0	0.0%	0.0%

SSES Table 3 (Synar Survey Sample Tally Summary)
STATE: Oregon; FFY: 2008

Disposition Code	Description	Count	Sub-total
EC	Eligible and inspection complete outlet	622	
Total (Eligible Completes)			622
N1	In operation but closed at time of visit	3	
N2	Unsafe to access	0	
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	0	
N8	Run out of time	0	
N9	Other noncompletion	0	
Total (Eligible Noncompletes)			3
I1	Out of Business	35	
I2	Does not sell tobacco products	22	
I3	Inaccessible by youth	12	
I4	Private club or private residence	5	
I5	Temporary closure	0	
I6	Un-locatable	3	
I7	Wholesale only/Carton sale only	1	
I8	Vending machine broken	0	
I9	Duplicate	6	
I10	Other ineligibility	0	
Total (Ineligibles)			84
Grand Total			709

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

STATE: Oregon
FFY: 2008

Frequency Distribution

Gender	Age	Number of Inspectors	Attempted Buys	Successful Buys
Male	14	0	0	0
	15	2	56	8
	16	5	253	40
	17	0	0	0
	18	0	0	0
	Subtotal	7	309	48
Female	14	0	0	0
	15	0	0	0
	16	7	313	49
	17	0	0	0
	18	0	0	0
	Subtotal	7	313	49
Other		0	0	0
Grand Total		14	622	97

Buy Rate in Percent by Age and Gender

Age	Male	Female	Total
14	0.0%	0.0%	0.0%
15	14.3%	0.0%	14.3%
16	15.8%	15.7%	15.7%
17	0.0%	0.0%	0.0%
18	0.0%	0.0%	0.0%
Other			0.0%
Total	15.5%	15.7%	15.6%

SECTION II: FFY 2008 (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.

AMH will obtain approval from CSAP when we update the inspection protocol, Appendix C.

2. Please describe the State's plans to maintain and/or reduce the retailer violation rate for Synar inspections to be completed in FFY 2008. 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.

- Merchant education – DHS through its Addictions and Mental Health Division (AMH) plans to continue its merchant education program and use updated materials that are available through the internet.
- Retailer training - DHS through its Addictions and Mental Health Division (AMH) plans to continue its retailer (clerk and/or storeowner) training program.
- Synar law enforcement - DHS through its local public health agencies continues to enforce Synar (youth access) laws.
- Update and clean the list frame to minimize sample attrition.

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*): _____
- No challenges (*please explain*): _____

Briefly describe all items checked above:

- **Limited resources for law enforcement of youth access laws:** Current funding for enforcement of youth access laws at the state level is limited to compliance with the Synar Amendment. The DHS-AMH enters into an interagency agreement with the Oregon State Police each biennium to conduct compliance inspections associated with the Synar Amendment using SAPT block grant funds. Additional state general funds have not been made available to increase enforcement efforts. Enforcement in Oregon Cities that have passed local ordinances is conducted by their local law enforcement.
- **Limited resources for activities to support enforcement and compliance with youth tobacco access laws.** Developing and implementing local level prevention activities is limited due to insufficient resources.
- **Limitations on completeness/accuracy of list of tobacco outlets:** Oregon continues to struggle to keep up with the changes in the list of retailers who sell tobacco. Oregon does not require a license to sell tobacco, and as a result there is no master list of retailers. Efforts to track and update information about new outlets and those that close or quit selling tobacco is slow and inefficient. DHS-AMH is working with the Oregon Department of Revenue, the Oregon Liquor Control Commission and the Oregon Attorney General's Office to combine lists of retailers maintained by each entity. This combined list of retailers helps to improve our existing list. Since DHS-AMH does not inspect all known retailers, inspectors are not finding new outlets as frequently.
- **Laws/regulations limiting the use of minors in tobacco inspections**
Child Labor Laws from Oregon's Bureau of Labor and Industries limits working hours for 15-year-old youth inspectors.

When school is in session:

- Three hours per day, eight hours on non-school days, and 18 hours per week maximum
- Only between 7:00 am and 7:00 pm
- Working is not allowed during school hours

As stated in the following paragraph, this may not be a problem on the Western side of the state, but Eastern Oregon may be a challenge. Travel time to cover inspections for a geographic area in Eastern Oregon can take 3-4 hours, which is the

maximum length of time 15-year-old youth can work according to the guidelines mentioned above.

- **Difficulties recruiting youth inspectors.** A very limited number of minority youth, particularly in non-urban areas, makes recruiting minority youth inspectors difficult in selected localities.
- **Geographic, demographic, and logistical considerations in conducting inspections:** While this is not a problem on the Western side of the state, Eastern Oregon continues to be a geographic challenge for inspectors. In many cases, travel of 3-4 hours is not uncommon for inspection of one or two outlets in rural parts of the state. This is true of much of the Eastern areas of Oregon, but inspections are conducted regardless of the time it takes to travel and locate them. This will always be an issue for our state as there are so many rural towns outside the main north-south interstate freeway.

APPENDIX A: FORMS

FORM 1:
Not applicable since Oregon used the Synar Survey Estimation System (SSES) to analyze the Synar Survey data.

FORM 2:
Not applicable since Oregon used SRS.

FORM 3:
Not applicable since Oregon used SRS.

FORM 4:
Not applicable since Oregon used the Synar Survey Estimation System (SSES) to analyze the Synar Survey data.

FORM 5:
Not applicable since Oregon used the Synar Survey Estimation System (SSES) to analyze the Synar survey data.

APPENDIX B

SYNAR SURVEY SAMPLING METHODOLOGY

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

Name of Frame Source	Type of Source	Description	Updating Method and Cycle
Oregon Department of Revenue (DOR) list.	6	The State does not have tobacco licensing. But the DOR tracks the tobacco tax imposed on tobacco products for all retailers selling tobacco and we believe the list is fairly inclusive. Outlets inaccessible to minors are removed from the list.	We receive DOR list annually and update the list with additional information obtained from local law enforcement and prevention staff.

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 Statewide 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.)

7. Provide the following information about stratification

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

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.)

- 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.**

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

Oregon employs statewide simple random sampling (SRS). The effective sample size (n) is determined using the following formula:

$$n = 1 / ((se)^2 / \hat{p}\hat{q} + 1 / N)$$

where n is the effective sample size, se is the standard error, \hat{p} is the non-compliance rate, $\hat{q} = 1 - \hat{p}$ and N is the population of outlets. This formula permits for FPC factor and the se is determined to meet the margin of error requirement (3%) for the one-sided 95% confidence interval, that is $se = 0.0182$.

The target sample size is the same as the effective sample size since the design effect for SRS is one. The original sample size is determined by $n_o = (1 + r)n$, where $r = 50\%$ is the inflation factor (safety margin) used to counter the sample attrition. A violation rate of 20% is used in determining the sample size.

APPENDIX C

SYNAR SURVEY INSPECTION PROTOCOL

Note: Attach a copy of the inspection form and protocol used to record the inspection result.

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

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

List the agency name(s): _____

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

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

The Oregon State Police (OSP) recruits from retired state troopers and trains all adult inspectors. These adult inspectors then recruit, train and work with youth inspectors in each locality.

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*):

Oregon Revised Statutes (ORS) 167.401(4) provides exception to the prohibition of tobacco possession by minors. The section specifically reads as "A minor acting under the supervision of an adult may purchase, attempt to purchase or acquire tobacco products for the purpose of testing compliance with a federal law, state statute, local law or retailer management policy limiting or regulating the delivery of tobacco products to minors."

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*):

The state protocol for Synar inspection clearly states that youth inspector safety is a priority in the process. The importance of safety and precautionary measures that both adult and youth inspectors should take are discussed at length during the training sessions. Adult inspectors assess the safety of each retailer before youth inspectors enter the retailer shop and suspend inspection if circumstances compromising the safety of youth inspectors are observed.

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*):

Child labor laws limit the number of working hours for 15 year olds to 3 hours per day on school days and 18 hours maximum per week. This is a major barrier to balancing the number of youth inspectors between 15 and 16 year-olds.

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

The Department of Human Services is required to coordinate with law enforcement agencies to conduct annual, random and targeted, unannounced inspections of over-the-counter outlets to insure compliance with, and to enforce, Oregon laws designed to discourage the use of tobacco by minors (OAR 415-060-0040 (1)). Other procedural requirements include:

- The random sampling method must reflect youth (under 18) and outlet distribution throughout the state;
- Ensure that inspections occur at times when minors are likely to purchase tobacco products;
- Random inspections must occur only in areas where tobacco products are sold or distributed and are open to the public.

However each of these requirements only strengthens the formal inspection protocol.

APPENDIX D

List Sampling Frame Coverage Study
(LIST FRAME ONLY)

1. Calendar year of the coverage study: 2007

2. Percent coverage found: 86.14 %
(Provide calculation of the percent coverage)

3. Provide a description of the coverage study methods and results.

A detailed methodology was developed and approved by CSAP. Here is a succinct summary.

Fifty census tracts were selected randomly out of 755 census tracts. Each tract was assumed to have at least 5 tobacco retailers eligible for Synar inspection (they sell tobacco and are accessible to youth).

AMH staff visited each tract with a detailed map; identified major commercial roads leading to or from each tract; determined a major road with a probability of $1/n_r$ where n_r is the number of commercial roads leading to or from the tract; and canvassed the tract beginning with the identified road until 5 to 8 eligible retailers were identified and interviewed. In tracts where there were no sufficient retailers, retailers in the adjacent tract (the other side of the road) were interviewed. A total of 339 retailers were interviewed, an average of between 6 and 7 retailers per census tract.

Canvassed retailers were matched with the master list using city, street address, and business name. There were about 30 retailers that matched with city and street addresses but differed in business names. In this case we confirmed the identity of the businesses in two ways. One staff member used an Internet search engine to locate each business using both names (one name in the survey data and another in the master list) and confirmed that both share the same city and street address. This system was used to determine that when two like-named businesses shared the same city and street address it was not due to chance. Another staff member called each business and obtained additional descriptive information regarding the relationship between the pairs of names.

There were 292 true matches out of 339 retailers yielding 86.14% matching/coverage rate.