

ANNUAL SYNAR REPORT

42 U.S.C. 300x-26

OMB № 0930-0222

FFY 2023

State: Vermont

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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 Substance Abuse Prevention and Treatment Block Grant (SABG) (45 C.F.R. 96.130 (e)).

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 and young adult tobacco access laws (FFY 2022 Compliance Progress) and future plans to ensure compliance with the Synar requirements to reduce youth and young adult tobacco access rates (FFY 2023 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 onsite technical assistance consultation.

How the Synar report can help states

The information gathered for the Synar report can help states describe and analyze substate 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 and young adult tobacco access laws when aggregated statistical data from state Synar reports can demonstrate to the Secretary the national progress in reducing youth and young adult 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

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).

with youth and young adult tobacco access laws.

Getting assistance in completing the Synar report

If you have questions about programmatic issues, you may call CSAP's Division of Primary Prevention at (240) 276-2550 and ask for your respective State Project Officer, or contact your State Project Officer directly by telephone or email. If you have questions about fiscal or grants management issues, you may call your Grants Management Specialist in the Office of Financial Resources, Division of Grants Management, at (240) 276-1422.

Where and when to submit the Synar report

The ASR must be received by SAMHSA no later than December 31, 2022 and must be submitted in the format specified by these instructions. 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 one 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 2023 Synar Survey Results: States that use the Synar Survey Estimation System (SSES) must upload one copy of *SSES Tables 1–8* (in Excel) to WebBGAS. **Please note that, in the FFY 2023 ASR, SSES will generate Tables 6, 7, and 8, which are based on the optional microdata on product type, retail outlet type, and whether identification was requested. If your state does not submit these optional data, Tables 6, 7, and 8 will be blank. Tables 6, 7, and 8 are generated for the convenience of the state, and states are not required to submit completed versions of Tables 6, 7, or 8.** 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), as well as a database with the raw inspection data 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. This document should be different than the Appendix C attached to the Annual Synar Report.
- A scanned copy of the signed Funding Agreements/Certifications

Each state SSA Director has been emailed a login ID and password to log onto the Synar section of the WebBGAS site.

FFY 2023: 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 AMENDMENT | |
| 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 2023 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 2023 is up-to-date and approved by the Center for Substance Abuse Prevention. | |
| State: Vermont | |
| 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 2022 (Compliance Progress)

YOUTH AND YOUNG ADULT 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 21.

1. Please indicate any changes or additions to the state tobacco statute(s) relating to youth and young adult access since the last reporting year. If any changes were made to the state law(s) since the last reporting year, please 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 and young adults to possess, purchase or receive tobacco

Changed to require ID to purchase tobacco

Changed definition of tobacco products

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

c. 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

Vending machines Yes No

Added product categories to youth and young adult access law Yes No

2. Describe how the Annual Synar Report (see 45 C.F.R. 96.130(e)) was 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 and the date when the FFY 2023 ASR was posted to this Web address.)*

Web address: <https://www.healthvermont.gov/alcohol-drugs/reports/public-comment>

Date published: _____

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 SABG application process
- Distributed through the public library system
- Published in an annual register
- Other *(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:

Vermont Department of Liquor and Lottery, Div. of Liquor Control, Office of Compliance and Enforcement & Vermont Department of Health

Has this changed since last year's Annual Synar Report?

Yes No

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

Vermont Department of Liquor and Lottery, Div. of Liquor Control, Office of Compliance and Enforcement

Has this changed since last year's Annual Synar Report?

Yes No

c. The state agency(ies) responsible for enforcing youth and young adult tobacco access law(s):

Vermont Department of Liquor and Lottery, Div. of Liquor Control, Office of Compliance and Enforcement

Has this changed since last year's Annual Synar Report?

Yes No

4. Identify the following agencies and describe their relationship with the agency responsible for the oversight of the Synar requirements.

a. Identify the state agency responsible for tobacco prevention activities (the agency that receives the Centers for Disease Control and Prevention's National Tobacco Control Program funding).

Vermont Department of Health, Division of Health Promotion and Disease Prevention (HPDP)

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

Yes No

c. 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.)* _____
- No relationship

d. Does a state agency contract with the Food and Drug Administration’s Center for Tobacco Products (FDA/CTP) to enforce the youth and young adult access and advertising restrictions in the Family Smoking Prevention and Tobacco Control Act?

- Yes No (if no, go to Question 5)

e. If yes, identify the state agency responsible for enforcing the youth and young adult access and advertising restrictions in the Family Smoking Prevention and Tobacco Control Act (the agency that is under contract to the Food and Drug Administration’s Center for Tobacco Products (FDA/CTP)).

Vermont Department of Liquor and Lottery, Div. of Liquor Control, Office of Compliance and Enforcement

f. Has the responsible agency changed since last year’s Annual Synar Report?

- Yes No

g. Describe the coordination and collaboration that occur between the agency contracted with the FDA to enforce federal youth and young adult tobacco access laws 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.)* _____
- No relationship

h. Does the state use data from the FDA enforcement inspections for Synar survey reporting?

- Yes No

5. Please answer the following questions regarding the state’s activities to enforce the state’s youth and young adult access to tobacco law(s) in FFY 2022 (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 state youth and young adult 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 all violations of state youth and young adult access to tobacco laws by **LOCAL AND/OR STATE LAW ENFORCEMENT AGENCIES** (this does not include enforcement of local laws or federal youth and young adult tobacco access laws). 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> | 128 | 112 | 240 |
| Number of <u>finances assessed</u> | 128 | 112 | 240 |
| Number of <u>permits/licenses suspended</u> | 1 | | 1 |
| Number of <u>permits/licenses revoked</u> | 0 | | 0 |
| Other (Please describe.) | 0 | 0 | 0 |

c. 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 5c, 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:

The checks are conducted in random spatial sequence in order to diminish the incidence of nearby locations alerting neighboring licensed establishments

d. Which one of the following best describes the level of enforcement of state youth and young adult access to tobacco laws carried out in your state? (Check one category only.)

- Enforcement is conducted only at those outlets randomly selected for the Synar survey.
- Enforcement is conducted only at a subset of outlets not randomly selected for the Synar survey.
- Enforcement is conducted at a combination of outlets randomly selected for the Synar survey and outlets not randomly selected for the Synar survey.

e. **Did every tobacco outlet in the state receive at least one compliance check that included enforcement of the state youth and young adult tobacco access law(s) in the last year?**

- Yes No

f. **What additional activities are conducted in your state to support enforcement and compliance with state youth and young adult tobacco access law(s)?**
(Check all that apply and briefly describe each activity in the text boxes below each activity.)

- Merchant education and/or training

- Incentives for merchants who are in compliance (e.g., nonenforcement compliance checks in which compliant retailers are given positive reinforcement and noncompliant retailers are warned about youth and young adult access laws)

Many community grantees funded through VDH have created a positive way to highlight those retailers that pass their youth compliance check. For examples, some of our tobacco and community-based coalitions and grantees provide earned media acknowledgement through the town newspaper as well as receive a certificate they can display in their store. One example from some of our community tobacco grantees is the implementation of a “Star Store Program” that recognized retailers who have passed their compliance check by awarding them either a gold, silver or bronze level star.

- Community education regarding youth and young adult access laws

In addition to the training provided by DLL, many tobacco grantees funded by VDH Tobacco Control Program work with their local retailers to assist in the coordination of in-person retailer trainings. They raise awareness and engagement of the community on the impact on youth tobacco use including through 1) educating the community on regulatory and zoning/planning approaches to address the time, place and manner of tobacco sales, 2) educating tobacco users and their families about free cessation services and supports available through VDH’s 802Quits program, 3) delivering key messages from the statewide media campaigns through local activities, and 4) educating and engaging community members about dangers posed by e-cigarettes to youth including quit support available to end e-cigarette use.

The Tobacco Control Program funds twelve community tobacco prevention grantees around the state.

The Tobacco Control Program collaborates with the Agency of Education to train and support 33 youth groups, 14 OVX (high school) and 19 VKAT (middle school), to conduct 3 major education strategies: 1) educate local decision makers on the impact of flavored tobacco and nicotine products, 2) inform local decision makers to create smoke-free parks, public building entryways, multi-unit housing, business/college/hospital campuses, and 3) carry out local activities that support the statewide media campaigns throughout the year.

The Tobacco Program is working with DLL and the Tax to update our retail audit dashboard.

Media use to publicize compliance inspection results

DLL posts inspection results on their website and in addition, community tobacco grantees use media to publicize comparison rate results and work with DLL to positively recognize retailers that pass their compliance checks. VDH tobacco program also incorporates the tobacco compliance data into presentations. During this reporting period VDH, DLL and Tax Department worked together to combine data into DLL's reporting platform to provide accessible and comprehensive tobacco enforcement data at the local retailer level combined with sales and store audit data. This will aid understanding and work to reduce the impact of tobacco promotion and discounting at point of sale in Vermont.

Community mobilization to increase support for retailer compliance with youth and young adult access laws

Several community-based tobacco grantees in areas with poor compliance rates engage with retailers to provide additional education about youth compliance laws, their importance to community health and the impact of tobacco promotion and displays on use among youth. Engaging youth in implementing interventions to address tobacco use is key to strengthen community norms and achieving change.

The CounterBalance point of sale education and engagement campaign (www.counterbalancevt.com) continues to provide digital messaging and materials for tobacco grantees to address the impact of flavors in tobacco products. In 2021 the focus continued on flavors specifically with e-cigarettes. Three new message packages for VDH's vaping prevention campaign, Unhyped, were developed and implemented targeting youth and young adults. VDH staff are members of the Policy and Communication Evaluation study with University of Vermont to assess awareness, knowledge and behavior change of substances including tobacco products. The study's objective and data are available at <https://www.pacevt.org/The> Tobacco Program, grantees, youth groups and Offices of Local Health also conducted community education.

On the [CounterBalance website](#), there is a section highlighting retailers who have taken steps to stop their sale of tobacco products.

The Tobacco Program facilitates frequent meetings to discuss, plan and implement actions to reduce youth access and illegal sales and promotions. Colleagues from the Attorney General's

Office, Department of Liquor and Lottery, Department of Education, Alcohol and Drug Abuse Prevention, Legal meet with the Health Department quarterly.

Other activities (*Please list.*) _____

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 2022 (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.

a. If yes, describe how and when this change was communicated to SAMHSA

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, upload a copy of SSES tables 1–8 (in Excel) to WebBGAS. Then go to Question 8. If No, continue to Question 7b.

b. Report the weighted and unweighted Retailer Violation Rate (RVR) estimates, the standard error, accuracy rate (number of eligible outlets divided by the total number of sampled outlets), and completion rate (number of eligible outlets inspected divided by the total number of eligible outlets).

| | | | |
|---|--|---------------|--|
| Unweighted RVR | | <u>0.136</u> | |
| Weighted RVR | | <u>0.1361</u> | |
| Standard error (s.e.) of the (weighted) RVR | | <u>0</u> | |

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

| | | | | | | | |
|-----------------|------|--------|-------|------------------|--------|-------------|--|
| 0.136 | + | (1.645 | × | 0) | = | 0.136 | |
| RVR Estimate | plus | (1.645 | times | Standard Error) | equals | Right Limit | |
| Accuracy rate | | | | | | <u>1</u> | |
| Completion rate | | | | | | <u>1</u> | |

c. **Fill out Form 1 in Appendix A (Forms 1–5).** *(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 1–5) *(Attach completed Form 2.)*
 Other *(Please specify. Provide formulas 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 Yes, fill out and attach Form 3 in Appendix A (Forms 1–5), and answer the following question.

If No, go to Question 7g.

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) | 941 |
| Target sample size (the product of the effective sample size and the design effect) | 941 |
| Original sample size (inflated sample size of the target sample to counter the sample attrition due to ineligibility and noncompletion) | 941 |
| Eligible sample size (number of outlets found to be eligible in the sample) | 889 |
| Final sample size (number of eligible outlets in the sample for which an inspection was completed) | 889 |

h. **Fill out Form 4 in Appendix A (Forms 1–5).**

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 Sampling frame coverage study: N/A

b. Percent coverage from the latest Sampling 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: N/A

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. If Yes, describe how and when this change was communicated to SAMHSA

b. Provide the inspection period: From 10/01/21 **to** 09/30/22
MM/DD/YY MM/DD/YY

c. Provide the number of youth and young adult inspectors used in the current inspection year:

12

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.

d. Fill out and attach Form 5 in Appendix A (Forms 1–5). (Not required if the state used SSES to analyze the Synar survey data.)

SECTION II: FFY 2023 (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 and young adult tobacco access.

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

- 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 2023. Include a brief description of plans for law enforcement efforts to enforce youth and young adult tobacco access laws, activities that support law enforcement efforts to enforce youth and young adult tobacco access laws, and any anticipated changes in youth and young adult tobacco access legislation or regulation in the state.

Continued enforcement efforts and training for tobacco outlet personnel will enable Vermont to reach the target rates set forth by VT and CSAP. DLL will continue to conduct inspections across the state and will conduct a census of all tobacco outlets statewide. DLL will attempt inspections again on those outlets that are eligible but not successfully inspected.

3. Describe any challenges the state faces in complying with the Synar regulation. (Check all that apply and describe each challenge in the text box below it.)

- Limited resources for law enforcement of youth and young adult access laws

During the fiscal year the authorized number of law enforcement staff available to enforce youth access laws was decreased by 1 FTE.

- Limited resources for activities to support enforcement and compliance with youth and young adult tobacco access laws

- Limitations in the state youth and young adult tobacco access laws

- Limited public support for enforcement of youth and young adult 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

Statue only allows minors between the ages of 17-20 to engage in youth access compliance checks. This age should be expanded to 16-20.

- Difficulties recruiting youth and young adult inspectors

Given the current labor market and the abundance of employment opportunities, recruiting minors at the current rate of compensation allowed by the state has a constant impact on the recruitment of minors.

- Issues regarding the balance of inspections conducted by youth inspectors age 15 and under

Per state law, only minors between the ages of 17-20 may be used for tobacco youth access compliance checks.

- Issues regarding the balance of inspections conducted by one gender of youth and young adult inspectors

Given the current labor market and the abundance of employment opportunities, recruiting minors at the current rate of compensation allowed by the state has a constant impact on the recruitment of minors.

- 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.*)

APPENDIX A: FORMS 1–5

FORM 1 (Required for all states not using the Synar Survey Estimation System (SSES) to analyze the Synar Survey data)

Complete Form 1 to report sampling frame and sample information and to calculate the unweighted retailer violation rate (RVR) using results from the current year’s Synar survey inspections.

Instructions for Completing Form 1: In the top right-hand corner of the form, provide the state name and reporting federal fiscal year (FFY 2023). Provide the remaining information by stratum if stratification was used. Make copies of the form if additional rows are needed to list all the strata.

Column 1: *If stratification was used:*

1(a) Sequentially number each row.

1(b) Write in the name of each stratum. All strata in the state must be listed.

If no stratification was used:

1(a) Leave blank.

1(b) Write “state” in the first row (indicates that the whole state is a single stratum).

Note for unstratified samples: For Columns 2–5, wherever the instruction refers to “each stratum,” report the specified information for the state as a whole.

Column 2: 2(a) Report the number of over-the-counter (OTC) outlets in the sampling frame in each stratum.

2(b) Report the number of vending machine (VM) outlets in the sampling frame in each stratum.

2(c) Report the combined total of OTC and VM outlets in the sampling frame in each stratum.

Column 3: 3(a) Report the estimated number of eligible OTC outlets in the OTC outlet population in each stratum.

3(b) Report the estimated number of eligible VM outlets in the VM outlet population in each stratum.

3(c) Report the combined total estimated number of eligible OTC and VM outlets in the total outlet population in each stratum.

The estimates for Column 3 can be obtained from the Synar survey sample as the weighted sum of eligible outlets by outlet type.

Column 4: 4(a) Report the number of eligible OTC outlets for which an inspection was completed, for each stratum.

4(b) Report the numbers of eligible VM outlets for which an inspection was completed, for each stratum.

4(c) Report the combined total of eligible OTC and VM outlets for which an inspection was completed, for each stratum.

Column 5: 5(a) Report the number of OTC outlets found in violation of the law as a result of completed inspections, for each stratum.

5(b) Report the number of VM outlets found in violation of the law as a result of completed inspections, for each stratum.

5(c) Report the combined total of OTC and VM outlets found in violation of the law as a result of completed inspections, for each stratum.

Totals: For each subcolumn (a–c) in Columns 2–5, provide totals for the state as a whole in the last row of the table. These numbers will be the sum of the numbers in each row for the respective column.

FORM 2 (Optional)

Appropriate for stratified simple or systematic random sampling designs.

Complete Form 2 to calculate the weighted RVR. This table (in Excel form) is designed to calculate the weighted RVR for stratified simple or systematic random sampling designs, accounting for ineligible outlets and noncomplete inspections encountered during the annual Synar survey.

Instructions for Completing Form 2: In the top right-hand corner of the form, provide the state name and reporting federal fiscal year (FFY 2023).

- Column 1: Write in the name of each stratum into which the sample was divided. These should match the strata reported in Column 1(b) of Form 1.
- Column 2: Report the number of outlets in the sampling frame in each stratum. These numbers should match the numbers reported for the respective strata in Column 2(c) of Form 1.
- Column 3: Report the original sample size (the number of outlets originally selected, *including* substitutes or replacements) for each stratum.
- Column 4: Report the number of sample outlets in each stratum that were found to be eligible during the inspections. Note that this number must be less than or equal to the number reported in Column 3 for the respective strata.
- Column 5: Report the number of eligible outlets in each stratum for which an inspection was completed. Note that this number must be less than or equal to the number reported in Column 4. These numbers should match the numbers reported in Column 4(c) of Form 1 for the respective strata.
- Column 6: Report the number of eligible outlets inspected in each stratum that were found in violation. These numbers should match the numbers reported in Column 5(c) of Form 1 for the stratum.
- Column 7: Form 2 (in Excel form) will automatically calculate the stratum RVR for each stratum in this column. This is calculated by dividing the number of inspected eligible outlets found in violation (Column 6) by the number of inspected eligible outlets (Column 5). The state unweighted RVR will be shown in the Total row of Column 7.
- Column 8: Form 2 (in Excel form) will automatically calculate the estimated number of eligible outlets in the population for each stratum. This calculation is made by multiplying the number of outlets in the sampling frame (Column 2) times the number of eligible outlets (Column 4) divided by the original sample size (Column 3). Note that these numbers will be less than or equal to the numbers in Column 2.
- Column 9: Form 2 (in Excel form) will automatically calculate the relative stratum weight by dividing the estimated number of eligible outlets in the population for each stratum in Column 8 by the Total of the values in Column 8.
- Column 10: Form 2 (in Excel form) will automatically calculate each stratum's contribution to the state weighted RVR by multiplying the stratum RVR (Column 7) by the relative stratum weight (Column 9). The weighted RVR for the state will be shown in the Total row of Column 10.
- Column 11: Form 2 (in Excel form) automatically calculates the standard error of each stratum's RVR (Column 7). The standard error for the state weighted RVR will be shown in the Total row of Column 11.
- TOTAL: For Columns 2–6, Form 2 (in Excel form) provides totals for the state as a whole in the last row of the table. For Columns 7–11, it calculates the respective statistic for the state as a whole.

FORM 2 (Optional) Appropriate for stratified simple or systematic random sampling designs.

| Calculation of Weighted Retailer Violation Rate | | | | | | | | | | |
|--|--|-------------------------------------|--|--|---|---|---|--|--|---|
| | | | | | | | | | | State: Vermont |
| | | | | | | | | | | FFY: 2023 |
| (1) Stratum Name | (2) N Number of Outlets in Sampling Frame | (3) n Original Sample Size | (4) n1 Number of Sample Outlets Found Eligible | (5) n2 Number of Outlets Inspected | (6) x Number of Outlets Found in Violation | (7) p=x/n2 Stratum Retailer Violation Rate | (8) N'=N(n1/n) Estimated Number of Eligible Outlets in Population | (9) w=N'/Total Column 8 Relative Stratum Weight | (10) pw Stratum Contribution to State Weighted RVR | (11) s.e. Standard Error of Stratum RVR |
| State | 941 | 941 | 889 | 889 | 121 | 0.136 | 889.00 | 1.00000 | 0.1361 | 0.0000 |
| | | | | | | | | | | |
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| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| Total | 941 | 941 | 889 | 889 | 121 | 0.136 | 889.0 | 1.00000 | 0.1361 | 0.0000 |

- N - number of outlets in sampling frame
- n - original sample size (number of outlets in the original sample)
- n1 - number of sample outlets that were found to be eligible
- n2 - number of eligible outlets that were inspected
- x - number of inspected outlets that were found in violation
- p - stratum retailer violation rate (p=x/n2)
- N' - estimated number of eligible outlets in population (N'=N*n1/n)
- w - relative stratum weight (w=N'/Total Column 8)
- pw - stratum contribution to the weighted RVR
- s.e. - standard error of the stratum RVR

FORM 3 (Required when a cluster design is used for all states not using the Synar Survey Estimation System [SSES] to analyze the Synar survey data.)

Complete Form 3 to report information about primary sampling units when a cluster design was used for the Synar survey.

Instructions for Completing Form 3: In the top right-hand corner of the form, provide the state name and reporting federal fiscal year (FFY 2023).

Provide information by stratum if stratification was used. Make copies of the form if additional rows are needed to list all the strata.

Column 1: Sequentially number each row.

Column 2: *If stratification was used:* Write in the name of stratum. All strata in the state must be listed.

If no stratification was used: Write “state” in the first row to indicate that the whole state constitutes a single stratum.

Column 3: Report the number of primary sampling units (PSUs) (i.e., first-stage clusters) created for each stratum.

Column 4: Report the number of PSUs selected in the original sample for each stratum.

Column 5: Report the number of PSUs in the final sample for each stratum.

TOTALS: For Columns 3–5, provide totals for the state as a whole in the last row of the table.

| Summary of Clusters Created and Sampled | | | | |
|--|---------------------|----------------------------------|-----------------------------------|---|
| State: Vermont | | | | |
| FFY: 2023 | | | | |
| (1) Row # | (2) Stratum Name | (3) Number of PSUs Created | (4) Number of PSUs Selected | (5) Number of PSUs in the Final Sample |
| | | | | |
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| | | | | |
| | | | | |
| | | | | |
| Total | | | | |

FORM 4 (Required for all states not using the Synar Survey Estimation System [SSES] to analyze the Synar Survey data)

Complete Form 4 to provide detailed tallies of ineligible sample outlets by reasons for ineligibility and detailed tallies of eligible sample outlets with noncomplete inspections by reasons for noncompletion.

Instructions for Completing Form 4: In the top right-hand corner of the form, provide the state name and reporting federal fiscal year (FFY 2023).

Column 1(a): Enter the number of sample outlets found ineligible for inspection by reason for ineligibility. Provide the total number of ineligible outlets in the row marked “Total.”

Column 2(a): Enter the number of eligible sample outlets with noncomplete inspections by reason for noncompletion. Provide the total number of eligible outlets with noncomplete inspections in the row marked “Total.”

| Inspection Tallies by Reason of Ineligibility or Noncompletion | | | |
|---|---------------|--|---------------|
| | | State: Vermont | |
| | | FFY: 2023 | |
| (1) INELIGIBLE | | (2) ELIGIBLE | |
| Reason for Ineligibility | (a) Counts | Reason for Noncompletion | (a) Counts |
| Out of business | 9 | In operation but closed at time of visit | 79 |
| Does not sell tobacco products | 32 | Unsafe to access | 3 |
| Inaccessible by youth or young adult | 0 | Presence of police | 0 |
| Private club or private residence | 1 | Youth or young adult inspector knows salesperson | 6 |
| Temporary closure | 9 | Moved to new location | 0 |
| Unlocatable | 0 | Drive-thru only/youth or young adult inspector has no driver’s license | 0 |
| Wholesale only/Carton sale only | 0 | Tobacco out of stock | 0 |
| Vending machine broken | 0 | Ran out of time | 0 |
| Duplicate | 0 | Other noncompletion reason(s) <i>(Describe.)</i> | 0 |
| Other ineligibility reason(s) <i>(Describe.)</i> Under suspension at time of check | 1 | | |
| Total | 52 | Total | 88 |

FORM 5 (Required for all states not using the Synar Survey Estimation System [SSES] to analyze the Synar survey data)

Complete Form 5 to show the distribution of outlet inspection results by age and gender of the youth and young adult inspectors.

Instructions for Completing Form 5: In the top right-hand corner of the form, provide the state name and reporting federal fiscal year (FFY 2023).

Column 1: Enter the number of attempted buys by youth and young adult inspector age and gender.

Column 2: Enter the number of successful buys by youth and young adult inspector age and gender.

If the inspectors are age eligible but the gender of the inspector is unknown, include those inspections in the “Other” row. Calculate subtotals for males and females in rows marked “Male Subtotal” and “Female Subtotal.” Sum subtotals for Male, Female, and Other and record in the bottom row marked “Total.” Verify that the total of attempted buys and successful buys equals the total for Column 4(c) and Column 5(c), respectively, on Form 1. If the totals do not match, please explain any discrepancies.

| Synar Survey Inspector Characteristics | | |
|---|-----------------------|------------------------------|
| | | State: <u>Vermont</u> |
| | | FFY: <u>2023</u> |
| | (1) Attempted Buys | (2) Successful Buys |
| Male | | |
| 15 years | 0 | 0 |
| 16 years | 0 | 0 |
| 17 years | 75 | 6 |
| 18 years | 78 | 4 |
| 19 years | 371 | 62 |
| 20 years | 5 | 3 |
| Male Subtotal | 529 | 75 |
| Female | | |
| 15 years | 0 | 0 |
| 16 years | 0 | 0 |
| 17 years | 53 | 3 |
| 18 years | 114 | 13 |
| 19 years | 193 | 30 |
| 20 years | 0 | 0 |
| Female Subtotal | 360 | 46 |
| Other | | |
| Total | 889 | 121 |

APPENDIXES B & C: FORMS

Instructions

Appendix B (Sampling Design) and Appendix C (Inspection Protocol) are to reflect the state's CSAP-approved sampling design and inspection protocol. These appendixes, therefore, should generally describe the design and protocol and, with the exception of Question #10 of Appendix B, are not to be modified with year-specific information. Please note that any changes to either appendix must receive CSAP's advance, written approval. To facilitate the state's completion of this section, simply cut and paste the previously approved sampling design (Appendix B) and inspection protocol (Appendix C) and respond to Question #10 of Appendix B to provide the requested information about sample size calculations for the Synar survey conducted in FFY 2022.

APPENDIX B: SYNAR SURVEY SAMPLING METHODOLOGY

State: Vermont
 FFY: 2023

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 |
|----------------------|----------------|---|---|
| DLL License List | 3 | Statewide database of all tobacco license holders | DLL is solely responsible for issuing tobacco licenses. The inspectors update the database monthly by notifying DLL of any closed vendors of tobacco or alcohol products. |
| | | | |
| | | | |
| | | | |
| | | | |

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

N/A

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(s) they are not included in the Synar survey. Please check all that apply.

- State law bans vending machines.
- State law bans vending machines from locations accessible to youth and young adults.
- State has a contract with the FDA and is actively enforcing the vending machine requirements of the Family Smoking Prevention and Tobacco Control Act.
- Other (Please describe.) _____

If Yes, please indicate how likely it is that vending machines will be sampled.

- Vending machines are sampled separately to ensure vending machines are included in the sample
- Vending machines are sampled together with over the counter outlets, so it is possible that no vending machines were sampled, however they are included in the sampling frame and have a non-zero probability of selection
- Other reasons (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.)
- Multistage 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.)
- Multistage 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 multistage 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 following information about determining the Synar Sample.

- a. **Was the Synar Survey Estimation System (SSES) used to calculate the sample size?**

Yes (Respond to part b.)

No (Respond to part c and Question 10c.)

- b. **SSES Sample Size Calculator used?**

State Level (Respond to Question 10a.)

Stratum Level (Respond to Question 10a and 10b.)

- c. **Provide the formulas for determining the effective, target, and original outlet sample sizes.**

10. Provide the following information about sample size calculations for the Synar survey conducted in FFY 2022.

- a. **If the state uses the sample size formulas embedded in the SSES Sample Size Calculator to calculate the state level sample size, please provide the following information:**

Inputs for Effective Sample Size:

RVR:

Frame Size:

Input for Target Sample Size:

Design Effect:

Inputs for Original Sample Size:

Safety Margin:

Accuracy (Eligibility) Rate:

Completion Rate:

- b. If the state uses the sample size formulas embedded in the SSES Sample Size Calculator to calculate the stratum level sample sizes, please provide the stratum level information:**

- c. If the state does not use the sample size formulas embedded in the SSES Sample Size Calculator, please provide all inputs required to calculate the effective, target, and original sample sizes as indicated in Question 9.**

APPENDIX C: SYNAR SURVEY INSPECTION PROTOCOL SUMMARY

State: Vermont
FFY: 2023

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
- Permitted under specified circumstances (Describe:)
- Not permitted

b. Youth and young adult inspectors to carry ID?

- Required
- Permitted under specified circumstances (Describe:)
- Not permitted

c. Adult inspectors to enter the outlet?

- Required
- Permitted under specified circumstances (Describe:)
- Not permitted

d. Youth and young adult inspectors to be compensated?

- Required
- Permitted under specified circumstances (Describe:)
- Not permitted

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): **Vermont Dept. of Liquor and Lottery, Div. of Liquor Control, Office of Compliance and Enforcement**

—

3. Are Synar inspections combined with law enforcement efforts (i.e., do law enforcement representatives 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 type of tobacco products that are requested during Synar inspections.

a. What type of tobacco products are requested during the inspection?

- Cigarettes
- Small Cigars
- Cigarillos
- Smokeless Tobacco
- Electronic Cigarettes/Electronic Nicotine Delivery Systems (ENDS)
- Other

b. Describe the protocol for identifying what types of products and what brands of products are requested during an inspection.

Whatever is the bulk majority of the retailer's inventory.

5a. Describe the methods used to recruit, select, and train adult supervisors.

Adult supervisors are sworn law enforcement officers employed by DLL

5b. Describe the methods used to recruit, select, and train youth and young adult inspectors.

DLL Investigators are responsible for the recruitment of minor/youth inspectors. All youth inspectors are trained by DLL Investigators before going out into the field and all youth inspectors are required to read through the procedures and sign them prior to starting an inspection.

6. Are there specific legal or procedural requirements instituted by the state to address the issue of youth and young adult inspectors' immunity when conducting inspections?

a. Legal

Yes No

(If Yes, please describe.)

b. Procedural

Yes No

(If Yes, please describe.)

Please see attached, "Procedures for Tobacco Purchase Compliance Survey"

7. Are there specific legal or procedural requirements instituted by the state to address the issue of the safety of youth and young adult 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.)

Please see attached, "Procedures for Tobacco Purchase Compliance Survey"

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

a. Legal

Yes No

(If Yes, please describe.)

Title 7 VSA 1007

b. Procedural

Yes No

(If Yes, please describe.)

The procedures applied during Synar inspections mirror those outlined by the FDA

APPENDIX D: LIST SAMPLING FRAME COVERAGE STUDY

(LIST FRAME ONLY)

State: Vermont
FFY: 2023

1. Calendar year of the coverage study: N/A
2.
 - a. Unweighted percent coverage found: N/A%
 - b. Weighted percent coverage found: N/A%
 - c. Number of outlets found through canvassing: N/A
 - d. Number of outlets matched on the list frame: N/A
3.
 - a. Describe how areas were defined. (e.g., census tracts, counties, etc.)

Per CSAP approval, Vermont has a coverage study waiver

- b. Were any areas of the state excluded from sampling?

Yes No

If Yes, please explain.

4. Please answer the following questions about the selection of canvassing areas.

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

Census (Go to Question 6.)

Unstratified statewide sample:

- Simple random sample (Respond to Part b.)
- Systematic random sample (Respond to Part b.)
- Single-stage cluster sample (Respond to Parts b and d.)
- Multistage cluster sample (Respond to Parts b and d.)

Stratified sample:

- Simple random sample (Respond to Parts b and c.)
- Systematic random sample (Respond to Parts b and c.)
- Single-stage cluster sample (Respond to Parts b, c, and d.)
- Multistage cluster sample (Respond to Parts b, c, and d.)
- Other (Please describe and respond to Part b.) _____

- b. Describe the sampling methods.

[Empty text box]

c. Provide a full description of the strata that were created.

[Empty text box]

d. Provide a full description of how clusters were formed.

[Empty text box]

5. Were borders of the selected areas clearly identified at the time of canvassing?

Yes No

6. Were all sampled areas visited by canvassing teams?

Yes (Go to Question 7.) No (Respond to Parts a and b.)

a. Was the subset of areas randomly chosen?

Yes No

b. Describe how the subsample of visited areas was drawn. Include the number of areas sampled and the number of areas canvassed.

[Empty text box]

7. Were field observers provided with a detailed map of the canvassing areas?

Yes No

If No, describe the canvassing instructions given to the field observers.

[Empty text box]

8. Were field observers instructed to find all outlets in the assigned area?

Yes No

If No, respond to Question 9.

If Yes, describe any instructions given to the field observers to ensure the entire area was canvassed, then go to Question 10.

DLL uses public facing software to visualize their compliance programs. Investigators use this program to keep track of all licensed outlets and when they were last checked. That software can be accessed here <http://liquorcontrol.vermont.gov/enforcement>

9. If a full canvassing was not conducted:

a. How many predetermined outlets were to be observed in each area? _____

b. What were the starting points for each area? _____

c. Were these starting points randomly chosen?

Yes No

d. Describe the selection of the starting points.

e. Please describe the canvassing instructions given to the field observers, including predetermined routes.

10. Describe the process field observers used to determine if an outlet sold tobacco.

If the establishment has tobacco inventory displaced or answered yes to a direct question from the minor or youth if they sold tobacco produce, then the field observer would classify the license as “outlet sells tobacco”

11. Please provide the state’s definition of “matches” or “mismatches” to the Synar sampling frame? (i.e., address, business name, business license number, etc.)

DLL works directly off its internal licensing database so matches or mismatches are not an issue

12. Provide the calculation of the weighted percent coverage (if applicable).