

# **ANNUAL SYNAR REPORT**

**42 U.S.C. 300x-26**

OMB № 0930-0222

**FFY 2020**

**State: NH**

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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 tobacco access laws (FFY 2019 Compliance Progress) and future plans to ensure compliance with the Synar requirements to reduce youth tobacco access rates (FFY 2020 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. The information to be reported is public (45 CFR 96.130 (f)) and is not confidential. Part of the mission of the Center for Substance Abuse Prevention (CSAP) is to assist states<sup>1</sup> 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 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.

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

## Getting assistance in completing the Synar report

If you have questions about programmatic issues, you may call CSAP's Division of State Programs at (240) 276-2550 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 the Grants Management Officer, 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, 2019 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 2020 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, beginning with the FFY 2019 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 2020: 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.

<b>PUBLIC HEALTH SERVICES ACT AND SYNAR AMENDMENT</b>
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.
<b>SYNAR SURVEY SAMPLING METHODOLOGY</b>
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 2020 is up-to-date and approved by the Center for Substance Abuse Prevention.
<b>SYNAR SURVEY INSPECTION PROTOCOL</b>
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 2020 is up-to-date and approved by the Center for Substance Abuse Prevention.
<b>State: NH</b>
<b>Name of Chief Executive Officer or Designee: Annette Escalante</b>
<b>Signature of CEO or Designee:</b>
<b>Title:</b> Director of the Bureau of Drug and Alcohol Services <b>Date Signed:</b> _____
<b>If signed by a designee, a copy of the designation must be attached.</b>

**SECTION I: FFY 2019 (Compliance Progress)**

**YOUTH ACCESS LAWS, ACTIVITIES, AND ENFORCEMENT**

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

**1. Please indicate any changes or additions to the state tobacco statute(s) relating to youth access since the last reporting year. If any changes were made to the state law(s) since the last reporting year, please 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  Other (Please specify.)

**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

Changed definition of tobacco products

Other change(s) (Please describe.) The change did not happen until after September 30<sup>th</sup>. This will impact next year's report. The protocol will still be the same but we might need to ensure our UAB's are over the age of 15.

**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 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 2020 ASR was posted to this Web address.)

Web address:

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.)* This year's report as well as the data from the tables were shared with all 13 Regional Public Health Networks, our state Drug Free Community grantees, as well as several other local coalitions. The information learned in these sessions was presented to each Region's local Public Health Advisory Councils and Leadership Teams. The information was also shared with the Tobacco Free NH Coalition, The NH Division of Liquor Enforcement, NH Tobacco Prevention program as well as any coalitions of organizations involved in reducing tobacco use in NH

**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:**

NH Bureau of Drug and Alcohol Services (BDAS)

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

Yes  No

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

NH Division of Liquor Enforcement (DLE)

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

Yes  No

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

NH DLE

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).**

NH Prevention and Control Program (NH TPCP)

**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.) BDAS works with both the NH DLE and the NH TPCP to inform and implement merchant education and tobacco prevention for youth. Due to the increase in our rate of sales this year there will be a greater emphasis to strengthen merchant education and tobacco prevention including exploring and securing more funding opportunities and combination of resources.*
- 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 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 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)).**  
NH DLE

**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 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.) Both BDAS and the coordinator for the FDA attend the Tobacco Free NH coalition and share resources and information pertinent to each other's grant.*
- 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 access to tobacco law(s) in FFY 2019 (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 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 access to tobacco laws by LOCAL AND/OR STATE LAW ENFORCEMENT AGENCIES (this does not include enforcement of local laws or federal youth 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>	55	0	55
Number of <u>finest assessed</u>	0	0	0
Number of <u>permits/licenses suspended</u>	0		0
Number of <u>permits/licenses revoked</u>	0		0
Other ( <i>Please describe.</i> )	55	0	55

- 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 DLE has been conducting both alcohol and tobacco checks with youth for many years. DLE recruits and utilizes youth for the compliance checks. These are youth who reside in New Hampshire and are interested in helping with tobacco prevention. The youth are not allowed to do so for any court ordered community service. All recruits go through a training provided by a trained DLE officer. All Under Age Buyers (UAB) are checked using an age assessment panel that is conducted several times a year. This is done on a regular basis to decrease any bias around the UAB not looking true to their age. Pictures are taken each day of a check and the UAB’s are required not to change their appearance. Men with facial hair or woman with large amount of make-up are not allowed. The UABs are accompanied to all merchant locations with a DLE officer.

- d. Which one of the following best describes the level of enforcement of state youth 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 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 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

The DLE provides the source of our trainings offered in NH. There are four different trainings offered in NH throughout the year including one more than what was provided last year. The Management Training Seminar (MTS), the Total Education Alcohol Management Team (TEAM) the Liquor Outlet Training Seminar (LOTS) and the (GETS). The MTS is required for all new licenses within 45 days of receiving a license and is recommended to be renewed every 2 years. This past year the MTS was conducted 74 times with 1037 participants. The Team training is targeted towards clerks and bartenders however the participants are taught how to check for fake ID's as well as the laws around selling to minors. There is no law requiring this training unless you are an establishment owner, however it is strongly recommended. This year there were 27 classes offered with 819 participants. This was also offered on line this year with 4138. The LOTS training is required for all liquor outlet managers. This class was offered 29 times with a total of 451 participants. The Grocer Education Training Seminar (G.E.T.S), which is an on-line seminar focusing on Title XIII laws and rules as they apply to off-sale licensees. It covers areas such as license requirements, laws and liability as they apply to the sales of age restricted products, and proper ID checking techniques. Individuals who complete the training must pass an exam to receive their certificate. There were 448 individuals who took the course on line this past year. There was an additional 102 that did a tobacco only license certification on line.

NH DLE, TPCP and BDAS worked together to develop a Merchant Education packet. This packet was updated this year to include the new vape legislation. However with the change in age of purchase increasing to 19 with a very good chance of 21 in less than 6 months, the new packets will be released to reflect Tobacco 21. The "Protect your business; protect your community" packet teaches merchants that youth tobacco use is a community issue. It contains information around understanding tobacco laws specific to youth, learning how to protect your business and customers. It provides both State and Federal regulations around tobacco sales. The information provided informs owners what they need to know if someone makes a sale to a minor and what penalties and violations both the clerk who sold and owner may face. These packets continue to be distributed to anyone who attends training, anyone who obtains a new license as well as any outlet that violates during the Synar compliance check. Our RPHN's were involved by assuring that every store within the state was provided a merchant education packet.

NH DLE continues to provide electronic versions of this packet and will be available at [www.nh.gov/liquor/enforcement](http://www.nh.gov/liquor/enforcement)

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 access laws)

Community education regarding youth access laws

Media use to publicize compliance inspection results

To lower our RVR for next year our RPHN's are getting involved by hand delivering certificates of recognition from BDAS and DLE to stores that passed the inspections. In order to make the community more aware there are several regions that will be having local media as well as local Police Departments present when delivered.

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

This past year several of our RPHN's, local coalitions, and youth groups were able to pass the Tobacco 21 law in their own towns. The towns that have gone T21 are: Durham, Dover, New Market, Keene and Franklin. There are several other towns and cities that are working towards T21.

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 2019 (*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** \_\_\_\_\_

**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.**

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

plus      times

**Accuracy rate** \_\_\_\_\_

**Completion rate** \_\_\_\_\_

c. **Fill out Form 1 (See Appendix A: Forms 1–5 Templates).** *(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) (See Appendix A: Forms 1–5 Templates) *(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 (See Appendix A: Forms 1–5 Templates), 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
<b>Effective sample size</b> (sample size needed to meet the SAMHSA precision requirement assuming simple random sampling)	
<b>Target sample size</b> (the product of the effective sample size and the design effect)	
<b>Original sample size</b> (inflated sample size of the target sample to counter the sample attrition due to ineligibility and noncompletion)	
<b>Eligible sample size</b> (number of outlets found to be eligible in the sample)	
<b>Final sample size</b> (number of eligible outlets in the sample for which an inspection was completed)	

h. **Fill out Form 4 (See Appendix A: Forms 1–5 Templates).**

**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: 2016**

**b. Percent coverage from the latest Sampling frame coverage study: 91.4**

**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: 2020**

**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 10/1/2018 to 9/30/2019**  
MM/DD/YY MM/DD/YY

**c. Provide the number of youth inspectors used in the current inspection year:**

NOTE: If the state uses SSES, please ensure that the number reported in 9c 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 2020 (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:

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 2020. 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.

NH saw a large increase in our RVR for FFY 2019. NH RVR jumped to 17.9%, this is the highest percentage of sales since the beginning of the Synar program. This number came as a surprise as the rate of youth who report smoking cigarettes has continued to decline based on the Youth Risk Behavior Survey (YRBS). This year's survey did not include vape products. Though this is a large concern in NH, we did not have a legislation prohibiting the sale of the device to minors. This has since changed and new legislation is in place prohibiting merchants to sell the device, oils, and tobacco to those under 18. Shortly after that change in legislation the age of sale also increased to 19. There is a very good possibility that this will increase to Tobacco 21 (T21) within the next few months. With the increase of sales this important prevention policy change could not have happened at a better time.

The RVR increase resulting in BDAS, TPCP, DLE and the Tobacco free 21 committee are looking at ways to handle this issue and implement policies, practices and programs to reduce the RVR. There have already been several meetings in regards to how to make the public aware of this serious issue. Several of our Regional Public Health Network SMP's have already met with their PHAC and local coalitions around how to work with local merchants on the importance of keeping tobacco out of the hands of youth and knowing the laws and regulations. There are several vaping prevention workshops being scheduled throughout the state. These workshops will be an opportunity to engage youth, family members, and community members in tobacco prevention and getting feedback on how to decrease the RVR.

Local SMP's are working with communities around how to make this a priority. They will be handing out certificates of recognition from BDAS and DLE to the stores that didn't sell. Most are putting the certificates of recognition in frames. They will be working with local media and police departments to get involved in congratulating the stores that did not sell.

**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.*)

- a. Limited resources for law enforcement of youth access laws

NH DLE is responsible for conducting the Synar compliance checks. There has always been a goal to check every store in NH at least once and try to check those that violated at least two more times. Unfortunately, due to the lack of capacity and funding the DLE was unable to meet this goal. DLE and BDAS are currently looking to find ways to make this possible going forward.

- b. Limited resources for activities to support enforcement and compliance with youth tobacco access laws

- c. Limitations in the state youth tobacco access laws

- d. Limited public support for enforcement of youth tobacco access laws

- e. Limitations on completeness/accuracy of list of tobacco outlets

- f. Limited expertise in survey methodology

- g. Laws/regulations limiting the use of minors in tobacco inspections

- h. Difficulties recruiting youth inspectors

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

- j. Issues regarding the balance of inspections conducted by one gender of youth inspectors

NH has struggled in the past to get a balance of male and female inspectors. This is due to female youth being more interested in helping the DLE than male youth. Efforts will focus on this year on a more equal representation of male and female UABs. This year we had 4 male and 5 female UAB's

- k. Geographic, demographic, and logistical considerations in conducting inspections

- l. Cultural factors (e.g., language barriers, young people purchasing for their elders)

NH has a number of clerks and store owners from different nationalities. This is always a concern in regards to not only the language barrier for the UAB but also the possible cultural differences around the acceptance of tobacco use as well as understanding the tobacco licenses etc.

- m. Issues regarding sources of tobacco under tribal jurisdiction

- n. Other challenges (*Please list.*)\_\_\_\_\_

Several of our Regions have seasonal locations. Each store is required to have a license but there are times when the UAB go to a store that has a license but is closed at time of visit. There is often not enough time for another attempt to be made. This is something NH will work on this year to ensure an even higher completion rate.

## APPENDIX A: FORMS 1–5 TEMPLATES

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

Complete Form 1 in **Excel** 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 **Excel** form, provide the state name and reporting federal fiscal year (FFY 2020). 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 in **Excel** 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 **Excel** form, provide the state name and reporting federal fiscal year (FFY 2020).

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

Complete Form 4 in **Excel** 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 **Excel** form, provide the state name and reporting federal fiscal year (FFY 2020).

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.”

<b>Inspection Tallies by Reason of Ineligibility or Noncompletion</b>			
		State: _____	
		FFY: 2020	
(1) INELIGIBLE		(2) ELIGIBLE	
Reason for Ineligibility	(a) Counts	Reason for Noncompletion	(a) Counts
Out of business		In operation but closed at time of visit	
Does not sell tobacco products		Unsafe to access	
Inaccessible by youth		Presence of police	
Private club or private residence		Youth inspector knows salesperson	
Temporary closure		Moved to new location	
Unlocatable		Drive-thru only/youth inspector has no driver’s license	
Wholesale only/Carton sale only		Tobacco out of stock	
Vending machine broken		Ran out of time	
Duplicate		Other noncompletion reason(s) <i>(Describe.)</i>	
Other ineligibility reason(s) <i>(Describe.)</i>			

<b>Total</b>		<b>Total</b>	
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**FORM 5 (Required for all states not using the Synar Survey Estimation System [SSES] to analyze the Synar survey data)**

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

**Instructions for Completing Form 5:** In the top right-hand corner of the Excel form, provide the state name and reporting federal fiscal year (FFY 2020).

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

Column 2: Enter the number of successful buys by youth 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 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.

<b>Synar Survey Inspector Characteristics</b>		
		<b>State:</b> _____
		<b>FFY:</b> 2020
	(1) Attempted Buys	(2) Successful Buys
<b>Male</b>		
15 years		
16 years		
17 years		
18 years		
19 years		
20 years		
<b>Male Subtotal</b>		
<b>Female</b>		
15 years		
16 years		
17 years		
18 years		
19 years		
20 years		
<b>Female Subtotal</b>		

<b>Other</b>		
<b>Total</b>		

## **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 2019.

## APPENDIX B: SYNAR SURVEY SAMPLING METHODOLOGY

State:           NH            
 FFY:           2020          

**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
NH Division of Liquor Enforcement (DLE)	3	NH DLE provides a list of all licensees that sell tobacco products in NH	This is done yearly by application

**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(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.

- 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.*) there are currently no tobacco vending machines in NH

*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.*) there are currently no vending machines in NH at this time.

**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.**

NH uses a total of 10 strata which correspond to our counties. These represent the following counties: Belknap, Carroll, Cheshire, Coos, Grafton, Hillsborough, Merrimack, Rockingham, Strafford and Sullivan.

**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 2019.**

- 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: 11.6%

Frame Size: 1461

**Input for Target Sample Size:**

Design Effect: 0.9

**Inputs for Original Sample Size:**

Safety Margin: 30

Accuracy (Eligibility) Rate: 97.2%

Completion Rate: 94.8%

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.

Stratum ID	Stratum Size	Stratum Sample Size [Proportional]
1	77	17
2	82	18
3	91	20
4	56	12
5	137	31
6	395	88
7	143	32
8	316	70
9	121	27
10	43	10

d. 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.

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## APPENDIX C: SYNAR SURVEY INSPECTION PROTOCOL SUMMARY

State:           NH            
FFY:           2020          

*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  
 Not permitted

#### b. Youth 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: This will only happen if the youth feels unsafe at the time and the officers must be in plain clothes and enter the store to purchase something.    )  
 Not permitted

#### d. Youth 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): \_\_\_\_\_

**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.**

UAB's are advised to ask for cigarette brands that they are comfortable with identifying. If they are unsure they are advised to ask for Marlboro's.

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

The DLE officers are either all trained by BDAS or someone previously trained by BDAS. DLE is the organization that had previously done tobacco checks with other funds as well as conducts alcohol compliance checks. These are all conducted in a similar methodology to reduce any errors. The officers are in fact the adult supervisors and have been for several years.

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

NH DLE provides the youth (UAB) that they use for all the tobacco and alcohol checks in the State. These youth are recruited and or volunteer to help DLE conduct these checks. The UAB is not allowed to participate as part of any court order or community service. All UAB's are checked for age verification by assessment panels that happen several times throughout the year. Each youth is provided with a manual containing all the rules, directions and permission slip that needs to be signed by parents prior to their first check. The DLE has developed a Underage Buyer Program pamphlet "Together we can make a difference". This is distributed throughout the state and explains the mission and vision of the program, how and why they recruit youth as well as the opportunities for the UAB.

**6. 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.)*

In 1999, The NH Office of Attorney General issued a legal interpretation, granting immunity to underage buyers participating in Synar surveys when working with an adult supervisor. In addition, DLE as the state enforcement agency for youth tobacco laws and is authorized to utilize buyers as part of its enforcement team.

**b. Procedural**

**Yes**    **No**

*(If Yes, please describe.)*

NH Law requires that the youth are all age tested and trained as well as have a picture taken before each compliance check. The youth must have money on them as well as their valid ID. They are trained not to be deceptive in any way while attempting the sale. If asked for a ID the youth are trained to provide the clerk with their valid ID. If a sale is made the UAB will then take the pack of cigarettes directly to the officer who will then issue the clerk a citation of sale. The time the officers takes to write and serve this citation are funded with State funds. The procedures are all approved and detailed in the DLE Administrative Operational Manual. Chapter 130-A Compliance Checks.

**7. 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.)*

There will be no compliance checks conducted without an adult in any situation were a UAB feels uncomfortable or unsafe. If this does occur, the DLE officer can than accompany the UAB into the store dressed in street clothes and will purchase an item.

**8. 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.)*

**b. Procedural**

Yes  No

*(If Yes, please describe.)*

# APPENDIX D: LIST SAMPLING FRAME COVERAGE STUDY

(LIST FRAME ONLY)

State: NH  
FFY: 2020

1. Calendar year of the coverage study:

2. a. Unweighted percent coverage found: 2016 %  
b. Weighted percent coverage found: 95.7 %  
c. Number of outlets found through canvassing: 140  
d. Number of outlets matched on the list frame: 134

3. a. Describe how areas were defined. (e.g., census tracts, counties, etc.)

Areas were defined using an approved protocol provided by JBS International that incorporated the delineation of municipalities in NH into larger cities (cities with seven to ten outlets), Medium (cities with four to six outlets), or small (cities with zero to three outlets). “Cities” are defined as any ample municipality and “outlets” are defined as any retailer or establishment that is licensed to sell tobacco.

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.**

Sample of are contain 130-200 outlets to establish a target size of 133. In NH there were a total of 1,478 outlets. Large cities have 1011 outlets which account for 68% of the total. Medium cities have 236 outlets which accounts for 16% of the total and small have 232 outlets which also accounts for 16% of the total.

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

The sample size for Large Cities was 91 ( $0.68 \times 133 = 90$ ) 90 outlets  
Medium sample size was ( $0.16 \times 133 = 21$ ) 21 outlets  
Small sample size was ( $0.16 \times 133$ ) = 21 outlets  
For randomization a sequential systematic random sampling method was used wherein all cities were listed within each stratum with enough outlets to meet the sample size and every 6<sup>th</sup> city was selected in each stratum. If a city had been canvassed in 2010, the nearest city on the list with the same number of outlets was chosen.

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

**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.**

**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.*

**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.*

Canvassers started at a major intersection in each assigned area to be canvassed and were instructed as in the past to follow the compass points as much as possible. With attention to safety and considerations, until all outlets (including minimum) were canvassed.

**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.**

Due to the geographic lay out of NH, field observers were asked to either walk or drive through the target canvas area to determine tobacco retailers. Those in cities were able to walk while those canvassing the more rural areas were instructed to drive. Visual confirmation was considered signage including tobacco sold at outlet.

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

Mismatched was considered in an outlet was not on the list, no longer selling tobacco, changed names or were no longer in business.

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

The percentage of matched outlets in stratum times stratum’s percentage of total outlets in state. All stratum were added for weight percentage of coverage.