

ANNUAL SYNAR REPORT

42 U.S.C. 300x-26

OMB № 0930-0222

FFY: 2023

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 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.

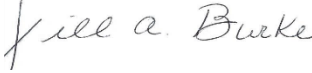
The state must upload one copy of the ASR using the online WebBGAS (Block Grant Application System). In addition, the following items must be uploaded to WebBGAS:

- 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: New Hampshire	
Name of Chief Executive Officer or Designee: Jill A. Burke	
Signature of CEO or Designee: 	
Title: Operations Administrator	Date Signed: 12.21.22
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 | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Penalties for sales to minors | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Vending machines | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Added product categories to youth and young adult access law | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> 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 Website *(Please provide exact Web address and the date when the FFY 2023 ASR was posted to this Web address.)*

Web address: www.dhhs.nh.gov/programs-services/health-care/substance-

misuse/substance-abuse-prevention-and-treatment-block-grant

Date published: 12/28/2022

- 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.)* All thirteen Regional Public Health Networks (RPHN), NH Drug Free Communities (DFC) Grantees, NH Student Assistance Program (SAP) Network, the NH Tobacco Free Coalition and the NH Tobacco Prevention and Control Program (TPCP) as well as other local youth and/or prevention coalitions are provided information on how to access the report. The report and its data were also used in local community meetings throughout the state and shared with State Representatives. In addition, regional results are detailed and highlighted with these groups to better inform them of data at the local level.

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 and young adult tobacco access law(s):

NH Division of Liquor Enforcement (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 Tobacco Prevention and Control Program (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.)* Prevention responsibilities are primarily shared between the NH Bureau of Drug and Alcohol Services (BDAS) and the NH Tobacco Prevention and Control Program (TPCP). Alcohol, other drugs, and Synar is the primary focus and function of BDAS. Whereas, the TPCP focuses solely on tobacco in all its forms of use and products. Together, BDAS and TPCP have collaboratively implemented efforts to increase and improve the knowledge level of youth tobacco use and retail access among retail merchants, legislators, stakeholders, and communities.
 - 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)).**
- NH Division of Liquor Enforcement (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 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.*) The NH Bureau of Drug and Alcohol Services (BDAS) works closely and continually with the NH Division of Liquor Enforcement (DLE). Joint activities included increasing the amount of merchant education as well as the number of compliance inspections conducted outside of Synar.

Through a contract with BDAS, a technical assistance provider created a Microsoft Excel based electronic data collection inspection tool. As a result, the DLE successfully implemented the transition away from a paper inspection form to an electronic Data Collection template. The template enabled the DLE to collect all required Synar data and begin the collection of optional Synar data. The template was also used for state tobacco inspections outside of the Synar sample which allows more analysis of tobacco inspection data. Furthermore, based on the favorable review of the template, the DLE requested and was provided a similar template to conduct their alcohol inspections.

The template has also improved the ability of BDAS to implement more structured inspection input parameters such as the types and quantities of tobacco products requested for purchase as well as the age and gender of youth inspectors. By considering and controlling the inspection parameters, BDAS was better able to fully introduce all tobacco products and youth inspector ages (Tobacco 21) into the Synar sample. This establishes better control measures from year to year which ultimately improves the evaluation of BDAS programming and its effectiveness on key contributors to the retail violation rate.

Once the inspection data was collected in the field, it was promptly emailed directly to those tasked with the responsible of data analysis. Prior to the implementation of the new template, inspections results were not known until all inspections had been completed. This hampered the ability of BDAS to monitor the quality of inspection data and the overall progress of the inspections. With immediate receipt of inspection data, BDAS is now in position to take corrective actions if anomalies are observed with inspection data swiftly and immediately.

BDAS also coordinates with the state's FDA Tobacco Retail Inspection Program, and together participates in the Tobacco Free NH Coalition. Information from the Synar and FDA programs are shared, along with input from the coalition, to select prevention strategies as well as formulate future initiatives.

- 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>	107	107	214
Number of <u>finest assessed</u>	107	UNK	UNK
Number of <u>permits/licenses suspended</u>	NA	NA	NA
Number of <u>permits/licenses revoked</u>	NA	NA	NA
Other (Please describe.)	NA	NA	NA

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 NH Division of Liquor Enforcement (DLE) is responsible for conducting alcohol and tobacco compliance checks. It is also their responsibility to recruit and manage the underage buyers (UAB) who are utilized for compliance checks. The UABs must reside in the state, express interest in preventing youth alcohol and tobacco use, and are not allowed to participate in the programs in response to any court ordered community service. Each UAB is subject to age assessment evaluations several times a year and DLE provides UAB inspection training.

A picture of the UAB is taken each workday to document the appearance of the UAB at the time of the compliance check. Females cannot wear any makeup and males are not allowed to have facial hair. The UABs are accompanied to each

location by a DLE officer. Compliance checks are conducted throughout the year to avoid a concentrated number of inspections within a small geographic area as well as to decrease the chances that retailers will be alerted via “phone tree” of potential inspections and/or become aware/anticipate when the compliance checks will be conducted.

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

Merchant and Retailer trainings are provided by the NH Division of Liquor Enforcement (DLE). There are three different trainings offered throughout the year: the Management Training Seminar (MTS), the Total Education Alcohol Management Team (TEAM), and the Grocer Education Training Seminar (GETS).

The MTS training is required for all new tobacco licensees within 45 days of receiving the license and is recommended to be renewed every 2 years. This training is also offered online for virtual participation.

The TEAM training is required for establishment owners only. However, it is recommended for clerks and bartenders as the content of the class is specifically directed to these roles and responsibilities. Participants are educated minimum-age alcohol and tobacco laws including how to correctly check identification.

The GETS online training focuses on the Title XIII laws and rules and regulations that apply to off-site licensees. The training addresses areas such as license requirements, laws, proper ID checking techniques, and liabilities as they apply to the sale of age restricted products. Participants of this training must pass an exam to receive their certification.

- 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)

Regional Public Health Networks (RPHNs) were mobilized and deployed to raise awareness of minimum-age tobacco laws and provide incentives to those merchants who successfully passed a compliance check. Substance Misuse Prevention (SMP) coordinators within the RPHNs disseminated individual certificates to those merchants who successfully passed the compliance checks. Moreover, several RPHNs began distributing window clings indicating that the retail location had passed a recent compliance check. This was done in support and in addition to the certificates. This appears to be a popular and welcomed reinforcement tool and BDAS is considering expanding the window cling incentive statewide. Often the certificates were presented to the merchants and retailers in partnership with local police departments and media outlets. Additionally, those merchants who failed the compliance check received a letter informing them of the compliance check results. BDAS and the RPHNs continue to develop new strategies and others ways to educate, engage, and encourage compliance and awareness of minimum-age tobacco laws in New Hampshire.

Community education regarding youth and young adult access laws

Several RPHNs continued efforts to prevent underage tobacco sales to youth by holding community forums. These forums allowed for open discussions regarding the results of the Synar survey, what it meant to their region, the importance of merchant education, and what could be done to further decrease the RVR.

Media use to publicize compliance inspection results

When the Annual Synar Report is publicly released, state along with many local media outlets publicize the results to ensure that the public is aware as well as has access to the report for their edification.

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

If an increase in RVR occurred within a RPHN, regional staff mobilized around the issue. They may do this by hold meetings with community members, police departments, school personnel, local coalitions, and local legislators to initiate the discussion regarding this public health issue and its impact on their youth, community, and the overall state. Additionally, they may also organize public forums with their regional and community partners to raise awareness and address the issue with the public as well as other stakeholders that can influence and impact the increase in RVR within their community.

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).

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: 2021

b. Percent coverage from the latest Sampling frame coverage study: 91.3%

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.

Note: Field work for the coverage study was completed December 2021. At the time of the ASR submission, analysis of the coverage study had not been

completed. Analysis has been completed and ASR Appendix D is included with this report.

d. The calendar year of the next coverage study planned: 2026

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 02/22/2022 to 9/23/2022
MM/DD/YY MM/DD/YY

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

Thirteen

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.

Thirteen youth inspectors were used in this year's Synar survey. Two youth inspectors had birthdays which created additional youth inspector IDs. Therefore, the total number of youth inspector IDs is 15 as indicated by SSES Table 4.

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.

In the upcoming year, the Bureau of Drug and Alcohol Services (BDAS) does anticipate a continued potential for an increase in RVR with continued representation of UAB ages (Tobacco 21) and having all tobacco products eligible for purchase. While an increase could be seen, it could also fall within the confidence interval. BDAS continues to introduce these key contributors to the RVR in a controlled fashion. By doing so, BDAS is in position to evaluate the effectiveness of programmatic initiatives in a timely fashion.

BDAS, TPCP, DLE and other stakeholders will continue to meet on a regular basis to discuss and develop a comprehensive approach in addressing any escalation of tobacco product use among New Hampshire youth.

Plans for law enforcement efforts to enforce youth tobacco access laws; Activities that support law enforcement efforts to enforce youth tobacco access laws

DLE will continue to conduct both Synar and state inspections, all of which can result in enforcement actions. With the introduction of the Excel based Data Collection template, a reduction in resources (time) to conduct, transmit, and analyze inspection data was observed. In addition, quality control improvements of inspection data were also seen and are expected to continue. By reducing the amount of time associated with conducting inspections, more time is then available to conduct more inspections throughout the state.

Anticipated changes in youth tobacco access legislation or regulation in the state.

There are no anticipated changes in legislation in the upcoming year.

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

- 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

- Difficulties recruiting youth and young adult inspectors

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

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

- Geographic, demographic, and logistical considerations in conducting inspections

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

- Issues regarding sources of tobacco under tribal jurisdiction

Other challenges (*Please list.*) _____

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: New Hampshire
 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
NH DLE	3	NH DLE provides a list of all licensees that sell tobacco products in NH	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 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.

Stratification is conducted by the ten (10) counties.

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: 19.4%

Frame Size: 1,523

Input for Target Sample Size:

Design Effect: 1.2

Inputs for Original Sample Size:

Safety Margin: 25%

Accuracy (Eligibility) Rate: 90.20%

Completion Rate: 91.80%

- 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:**

Using Neyman Allocation

Stratum ID	Stratum size	Stratum RVR	Cost weight of inspections	Stratum Sample Size
				[Neyman]
1	78	18.8		32
2	86	15		33
3	99	6.1		25
4	63	28.6		30
5	133	27.3		63
6	422	16.8		168
7	144	25		66
8	341	15		129
9	113	36.6		58
10	44	15.4		17
				621

- 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: New Hampshire
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): NH Division of Liquor Enforcement (DLE)

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 Hookah Tobacco

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

For each inspection, the inspection team is advised of a pre-determined type of tobacco product the underage buyers (UAB) is to request for purchase. UABs are also provided alternative types of tobacco products to request should the primary type of tobacco product not be available for any reason.

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

The NH Division of Liquor Enforcement (DLE) officers have either been directly trained by the Bureau of Drug and Alcohol Services (BDAS) or have participated in a train-the-trainer method from someone who has been trained by BDAS. The DLE is the agency responsible for administering alcohol and tobacco compliance checks. These are done using a similar methodology to reduce the possibility of any errors and to ensure uniformity throughout the administration of the compliance checks. The officers are adult supervisors and have been a part of the compliance check process since the beginning of the contract.

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

NH Division of Liquor Enforcement (DLE) is responsible to recruit, select, and train youth inspectors (Underage Buyers or UAB). Any UAB that has previous court involvement is not permitted to use this activity as a form of community service, and all UABs are checked by an age verification panel which occurs several times throughout the year. Each UAB is provided with a manual containing the rules/regulations, directions/instructions, and permission forms that need to be signed by parents prior to their involvement in conducting any compliance checks. Moreover, the DLE developed an Underage Buyer Program pamphlet titled "Together we can make a difference" which explains the mission and vision of the program, how and why they recruit the UABs, and any opportunities for UAB youth inspectors. This pamphlet has been shared and distributed throughout the state of New Hampshire.

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.)

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

b. Procedural

Yes No

(If Yes, please describe.)

New Hampshire Law requires the underage buyers (UABs) are all age tested, appropriately trained, and have a photo taken before each compliance check. The UAB must have money in their possession as well as a valid ID. They are trained not to be deceptive in any way while attempting the purchase/sale. If asked for an ID, the UAB are trained to provide the clerk with their valid ID. If a sale is made, the UAB will then take the tobacco product directly to the supervising officer waiting for them in the vehicle. The officer will then issue the retail clerk a citation of sale. The time the officers take to write and serve this citation is funded with State Funds. The procedures are all approved and detailed in the NH Division of Liquor Enforcement 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 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.)

There are no compliance checks conducted without an adult supervising officer from the NH Division of Liquor Enforcement (DLE) close by. Should an underage

buyer (UAB) feel uncomfortable or unsafe in any way at any time, the attending DLE officer (who is dressed in street clothes) can accompany the UAB into the store.

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.)

b. Procedural

Yes No

(If Yes, please describe.)

APPENDIX D: LIST SAMPLING FRAME COVERAGE STUDY

(LIST FRAME ONLY)

State: New Hampshire
FFY: 2023

1. Calendar year of the coverage study: 2021

2. a. Unweighted percent coverage found: 91.5%
b. Weighted percent coverage found: 91.3%
c. Number of outlets found through canvassing: 142
d. Number of outlets matched on the list frame: 130

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

Areas were defined as New Hampshire census tracts, of which there are a total of 350.

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.

The coverage study frame will consist of all 350 census tracts in New Hampshire, which will be stratified, and from which a sample of census tracts will be selected for conducting the coverage study. The stratification of the census tracts is based on the number of licensed tobacco outlets on the New Hampshire Alcohol Commission list. Strata boundaries were chosen so that there were approximately the same number of tobacco outlets within each stratum. Since stratified designs are typically more efficient than simple random samples, we used the leftmost entry in **Table 1: Sample Size Determination Chart** in Appendix B, on page 11 of the **Guide for a Synar Sampling Frame Coverage Study**, dated January 2006, to obtain a sample size of 19 census tracts. We believe that the statistical improvements from stratification will offset any statistical effects of the smaller average number of outlets per census tract (four versus seven shown in **Table 1**). Sample sizes per stratum were established on the basis of the relative effort needed, on average, to canvas and find outlets in the respective strata. It is expected to take less effort to canvas and find tobacco outlets in the large stratum census tracts (containing 9-18 outlets) than in the medium (5-8 outlets) or small stratum census tracts (0-4 outlets). The full stratification and sample sizes for this design can be seen below in *Exhibit 1 – Stratification and Sample Sizes*.

Exhibit 1 – Stratification and Sample Sizes

Strata #	# Outlets per Census Tract	Average # Outlets per Census Tract	Total # Outlets in Stratum	Sample Size (Census Tracts)
1	9-18	11.0	429	9
2	5-8	6.2	590	6
3	0-4	2.1	454	4
Total		4.2	1473	19

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

Strata were formed consistent with *Exhibit 1 – Stratification and Sample Sizes*, shown in 4b above.

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.

Once the sample of census tracts were drawn, the team developed maps to be used for the coverage study field work. To ensure that the maps were at a large enough scale to be readable by the canvassing teams, the census tracts were broken up into their constituent census block groups for which maps were created. Driving directions were created for each census block group map, and the map was marked accordingly with these directions. Accommodations were made for the driving directions overlap between adjoining census block groups within the census tract, to ensure complete coverage. Canvassing was conducted only within the interior of the census tract, as defined by its boundaries. Within the interior of the census tract, canvassing was conducted on both sides of the street, while on the boundaries, canvassing was only conducted on the side of the street that was within the census tract boundary. Observers ticked off streets on map to indicate they had been canvassed, reviewed maps to ensure all streets had been canvassed, and forwarded photos of maps with canvassing results to New Hampshire Department of Health and Human Services.

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.

Each canvassing team consisted of one driver and one navigator/observer. The navigator guided the driver using driving instructions marked on the maps and was looking for potential outlets to investigate. When a potential tobacco outlet was spotted, the team stopped and confirmed eligibility by entering the establishment to observe that it both sold tobacco products that are included in the New Hampshire Synar study, and was accessible to minors.

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.)

When a tobacco outlet was found, its information was added to the fieldwork coverage study form maintained by the canvassing team. This information included census tract ID, name of the business, address of the business, and other notes relevant to the outlet. The team also took a photograph using a cell phone to be used if needed for matching to the frame.

The data from the forms was input into a spreadsheet format, which was used to compare to the list frame. All tobacco outlets found in the field that clearly matched outlets on the list frame, were indicated on the spreadsheet as matches. Those tobacco outlets found in the field that did not match an outlet on the list frame were initially indicated as missing and investigated further.

Some reasons for initially unmatched outlets, where a match on the list frame may ultimately be found, included: a new owner changing the name of the outlet, a recording error in either list frame or the fieldwork form, and streets known by several names. All available information, including notes on the fieldwork form, and consulting with the canvassing team, were used to determine if unmatched outlets could be matched. When this review was completed, each outlet found was coded as either matched or missing.

The definition of a match: address and name could be tied to list file, and if the name did not match, the address matched, and could verify updated name using the photos provided by canvassers along with a web search. Whereas mismatched meant that the outlet was not on the list at the indicated address found by the canvassers and was unable to reconcile using the photo or with web searches.

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

Fieldwork was completed, and all fieldwork forms were forwarded to New Hampshire DHHS, then compiled and forwarded to Growth Partners. A summary of the stratified results is shown below in *Exhibit 2—Stratified Results*.

Exhibit 2—Stratified Results


Strata #	Sample Size (Census Tracts)	Outlets Found in Canvassing	Outlets Found Matched to List	Outlets Matched Percentage
1	9	95	88	92.6%
2	6	35	31	88.6%
3	4	12	11	91.7%
Total—Unweighted	19	142	130	91.5%
Weighted				91.3%

The data from the forms were entered into a spreadsheet format, which compared outlets found to the list frame. All tobacco outlets found in the field that clearly matched outlets on the list frame were indicated on the spreadsheet as matches. Those tobacco outlets found in the field that did not match an outlet on the list frame were initially indicated as missing and investigated further. All information, including notes on the fieldwork form, and consultation with the canvassing team, determined if unmatched outlets could be matched. When this review was completed, each outlet found was coded as either matched or missing.

The unweighted coverage rate of 91.5 percent was computed using the following formula:

$$\frac{\# \text{ Outlets Matched}}{\text{Total \# Outlets Found}} \times 100$$

Since a stratified random sample was used to select the census tracts, weights were computed and used for the calculation of the weighted coverage rate, which was 91.3 percent.

Count of  itched	Column Labels							
Row Labels	0	1	Grand Total	Weights	Weighted Sum	Stratum Size	Weighted Count	Weighted Coverage Rate
1	7	88	95	4.33	411.66	39	381.33	92.6%
2	4	31	35	6.50	227.50	95	201.50	88.6%
3	1	11	12	9.75	117.00	216	107.25	91.7%
Grand Total	12	130	142		756.16	350	690.08	91.3%
				Weighted Coverage Rate			91.3%	
Unweighted Coverage Rate			91.5%					