

Tobacco Enforcement

A Local Agency Perspective

Presented by:

Anne Arundel County - Jennifer Schneider

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Cecil County - Jennifer Padgett

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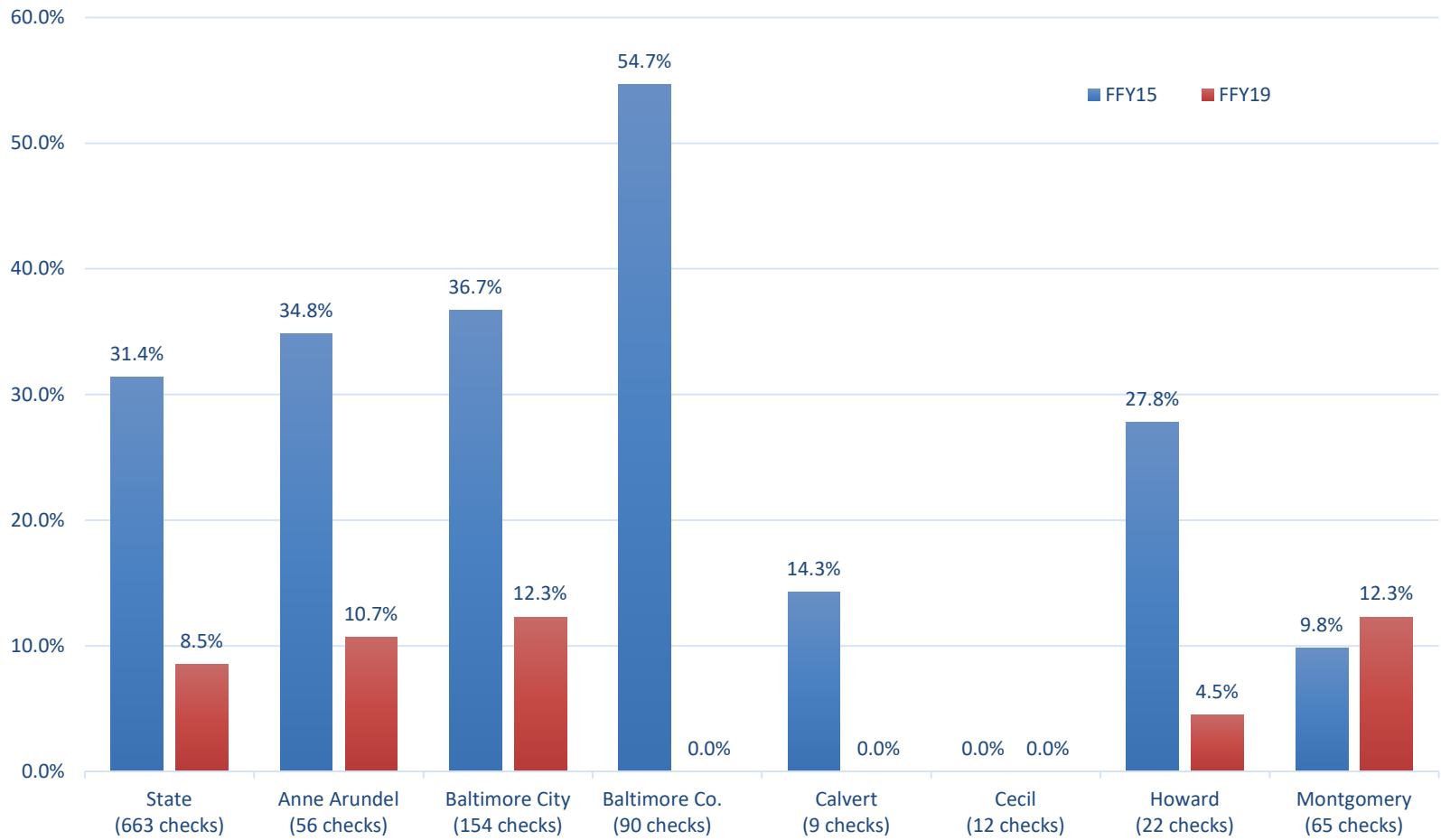
Montgomery County - Cristina Ruiz-McCalla



What Local Enforcement Does

- Enforcement at in-store point of sale
- Conduct compliance checks using underage youth
- Conduct checks with youth who use their own real government issued ID

Synar Retailer Violation Percentage Change



FY2019 Local Enforcement Results

Jurisdiction	# of Tobacco Retailers	# of Compliance Checks	Violation Percentage
Anne Arundel County	555	754	12.6%
Baltimore City	1,536	615	8.0%
Baltimore County	901	3,348	5.8%
Calvert County	85	114	18.7%
Cecil County	117	66	5.0%
Howard County	219	401	10.0%
Montgomery County	650	300	17.7%

What Local Enforcement Does Not Do

- Monitor tobacco sales to underage youth using fake IDs
- Control sales made to underage youth outside of compliance checks
- Monitor sales made to individuals who give the products to underage youth
- Monitor sales made through the internet

Enforcement Works... or does it?

Internet Purchase
5.6%

Direct Purchase in Retail Stores
9.7%

Proxy Purchase
19.6%

Borrowed them/someone gave them to me
53.3%

ESD
Sales to
youth
under
18 years
of age

2018 Youth Risk Behavior Survey/Youth
Tobacco Survey - Unpublished

Penalties for Sales

- Many jurisdictions have set their own penalties
- State civil penalty, the licensee/owner may be subject to a penalty up to:
 - \$300 for a first violation
 - \$1,000 for a second violation within two years of the first violation
 - \$3,000 for each subsequent violation occurring within two years of preceding violation
- Referral to the Office of the Comptroller of Maryland for multiple violations

Referrals to Comptroller of Maryland Office

Referrals and Dispositions

FY2019

Jurisdiction	# Referred	Suspension	Reprimand	Warning	No Action
Anne Arundel	4	0	3	0	1
Baltimore County	97	10 (5 FTA)	29	50	5
Howard County	14	2	9	3	0
Totals	115	12	41	53	6

Comptroller of Maryland Local Agency Suggestions

1. Progressive discipline for retailers that receive multiple violations
2. Clear policies and procedures for submission of referrals with standard criteria, written and distributed to local agencies and retailers
3. Consistency with level of disciplinary action
4. Communication with local Tobacco Coordinators

Opportunities for Limiting Youth Access

- Limit the number of tobacco licenses issued. Increased 10% from FFY15 – FFY19. Consider a density limit and proximity to schools
- Provide information at the time of license application. Require mandatory annual training prior to issuing/renewing license
- Increase funding to support enforcement efforts. Funding to most local agencies has not been increased from FY15 to FY19, while the number of retailers as well as staff cost & time has increased

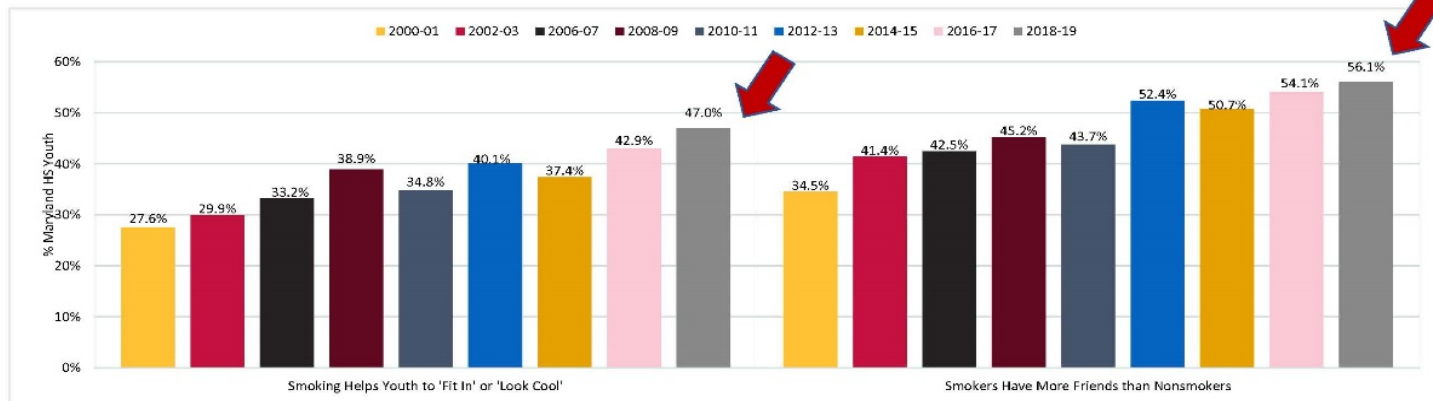
Opportunities for Limiting Youth Access

- Ban online sales
- Ban promotions such as discounts to students & discounted prices on products
- Hookah Lounge and Vape Shop monitoring- Consider making these establishments 21 and over and utilizing Field Enforcement Agents to monitor

Youth Tobacco Use Perception: Helps Youth to 'Fit in' or 'Look Cool' 'Have More Friends than Nonsmokers'

How is Smoking Perceived by Maryland High School Youth Who Smoke?

Smoking Maryland High School Youth Belief that Smokers Have More Friends/Smoking Helps Youth to Fit In, Maryland YRBS/YTS



Youth Use of Flavored Products

- Flavors mask the harshness of tobacco and improve taste, making them appealing to youth
- Percentage of youth ages 12 to 17 who reported that flavoring was a primary reason for using a tobacco product was:
 - E-Cigarettes 81.5%
 - Hookah 78.9%
 - Cigars 73.8%
 - Smokeless tobacco 69.3%
 - Snus pouches 67.2%

(Flavored Tobacco Use Among Youth and Young Adults, truthinitiative.org, Jan. 16, 2018)

Youth Use of Flavored Products

- Data from the Maryland YRBS/YTS showed that 9% of high school youth reported current use of cigars in 2016 and 6% of high school youth reported current use of little cigars in 2018
- Of the 6%, 49.4% reported using flavored little cigars

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Questions?