

ANNUAL SYNAR REPORT

42 U.S.C. 300x-26

OMB № 0930-0222

FFY 2009

State: OREGON



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Substance Abuse and Mental Health Services Administration
Center for Substance Abuse Prevention
www.samhsa.gov

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INTRODUCTION

The Annual Synar Report (ASR) format provides the means for States to comply with the reporting provisions of the Public Health Service Act (42 U.S.C. 300x-26) and the Tobacco Regulation for the SAPT Block Grant (45 C.F.R. 96.130 (e)).

Public reporting burden for the collection of information is estimated to average 15 hours for Section I and 3 hours for Section II, including the time for reviewing instructions, completing and reviewing the collection of information, searching existing data sources, and gathering and maintaining the data needed. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to SAMHSA Reports Clearance Officer; Paperwork Reduction Project; 1 Choke Cherry Road, 7th Floor Rockville, Maryland 20857.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control number for this project is 0930-0222 with an expiration date of 10-31-2010.

How the Synar report helps the Center for Substance Abuse Prevention

In accordance with the tobacco regulations, States are required to provide detailed information on progress made in enforcing youth tobacco access laws (FFY 2008 Compliance Progress) and future plans to ensure compliance with the Synar requirements to reduce youth tobacco access rates (FFY 2009 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 on-site technical assistance consultation.

How the Synar report can help States

The information gathered for the Synar report can help States describe and analyze sub-State needs for program enhancements. These data can also be used to report to the State legislature and other State and local organizations on progress made to date in enforcing youth tobacco access laws when aggregated statistical data from State Synar reports can demonstrate to the Secretary the national progress in reducing youth tobacco access problems. This information will also provide Congress with a better understanding of State progress in implementing Synar, including State difficulties and successes in enforcing retailer compliance with youth tobacco access laws.

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

Getting assistance in completing the Synar report

If you have questions about programmatic issues, you may call CSAP's Division of State Programs at (240) 276-2413 and ask for your respective State Project Officer, or contact your State Project Officer directly by telephone or e-mail using the directory provided in the FY 2009 Uniform Application, Appendix A. If you have questions about fiscal or grants management issues, you may call the Grants Management Officer, Office of Program Services, Division of Grants Management, at (240) 276-1422.

Where and when to submit the Synar report

The Annual Synar Report (ASR) must be received by SAMHSA no later than December 31, 2008. The ASR must be submitted in the **approved OMB report format**. Use of the approved format will avoid delays in the review and approval process. The chief executive officer (or an authorized designee) of the applicant organization must sign page 1 of the ASR certifying that the State has complied with all reporting requirements.

The State must upload one copy of the report using the online Web BGAS (Block Grant Application System). States that use the Synar Survey Estimation System (SSES) must also upload one copy of SSES Tables 1-5 (in Excel) to Web BGAS. 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 format) to Web BGAS. Instructions on how to access the Web BGAS system are included in the attached cover letter.

Additionally, the State must submit one signed original of the report (including the signed Funding Agreements/Certifications), as well as one additional copy of the signed Funding Agreements/Certifications, to the Grants Management Officer at the address below:

Ms. Barbara Orlando
Grants Management Officer
Office of Program Services
Division of Grants Management
Substance Abuse and Mental Health Services Administration

Regular Mail:

1 Choke Cherry Road, Rm.7-1091
Rockville, Maryland 20857

Overnight Mail:

1 Choke Cherry Road, Rm.7-1091
Rockville, Maryland 20850

FFY 2009: FUNDING AGREEMENTS/CERTIFICATIONS

The following form must be signed by the Chief Executive Officer or an authorized designee and submitted with this application. Documentation authorizing a designee must be attached to the application.

PUBLIC HEALTH SERVICES ACT AND SYNAR AMMENDMENT

42 U.S.C. 300x-26 requires each State to submit an annual report of its progress in meeting the requirements of the Synar Amendment and its implementing regulation (45 C.F.R. 96.130) to the Secretary of the Department of Health and Human Services. By signing below, the chief executive officer (or an authorized designee) of the applicant organization certifies that the State has complied with these reporting requirements and the certifications as set forth below.

SYNAR SURVEY SAMPLING METHODOLOGY

The State certifies that the Synar survey sampling methodology on file with the Center for Substance Abuse Prevention and submitted with the Annual Synar Report for FFY 2009 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 2009 is up-to-date and approved by the Center for Substance Abuse Prevention.

State: Oregon

Name of Chief Executive Officer or Designee: Dr. Bruce Goldberg

Signature of CEO or Designee:

Title: Director, Oregon Department of Human Services

Date Signed:

If signed by a designee, a copy of the designation must be attached.

SECTION I: FFY 2008 (Compliance Progress)

YOUTH ACCESS LAWS, ACTIVITIES, AND ENFORCEMENT

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

1. Please indicate any changes or additions to the State tobacco statute(s) relating to youth access since the last reporting year. Please attach a photocopy of the change(s) in the State law(s) if any was made since the last reporting year (see 42 U.S.C. 300x-26).

a. Has there been a change in the *minimum sale age* for tobacco products?

Yes No

If Yes, current minimum age: 19 20 21

b. Have there been any changes in State law that impact the State's *protocol for conducting Synar inspections*? Yes No

If Yes, indicate change. (Check all that apply.)

Changed to require that law enforcement conduct inspections of tobacco outlets

Changed to make it illegal for youth to possess, purchase or receive tobacco

Changed to require ID to purchase tobacco

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

c. Have there been any changes in the law concerning *vending machines*?

Yes No

If Yes, indicate change. (Check all that apply.)

Total ban enacted

Banned from location(s) accessible to youth

Locking device or supervision required

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

d. Have there been any changes in State law that impact the following?

Licensing of tobacco vendors Yes No

Penalties for sales to minors Yes No

2. Describe how the Annual Synar Report (see 45 C.F.R. 96.130(e)) and the State Plan (see 42 U.S.C. 300x-51) were made public within the State 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.)*

<http://www.oregon.gov/DHS/addiction/index.shtml>

- Notice published in a newspaper or newsletter
- Public hearing
- Announced in a news release, a press conference, or discussed in a media interview
- Distributed for review as part of the SAPT Block Grant application process
- Distributed through the public library system
- Published in an annual register
- Other change(s) *(Please describe.)* _____

3. Identify the following agency or agencies *(see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130).*

a. The State agency(ies) designated by the Governor for oversight of the Synar requirements:

DHS through its Addictions & Mental Health Division (AMH).

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

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

DHS through its Addictions & Mental Health Deivision (AMH).

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):

County and Local law enforcement enforce youth tobacco access laws.

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

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

DHS through its Public Health Division/Tobacco Prevention & Education Program.

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

Yes No

a. Describe the coordination and collaboration that occur between the agency responsible for tobacco 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.)* _____

5. Please answer the following questions regarding the State’s activities to enforce the youth access to tobacco law(s) in FFY 2008 (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130(e)).

a. Which one of the following describes the enforcement of youth access to tobacco laws carried out in your State? (Check one category only.)

- Enforcement is conducted exclusively by local law enforcement agencies.
- Enforcement is conducted exclusively by State agency(ies).
- Enforcement is conducted by both local and State agencies.

b. The following items concern penalties imposed for violations of youth access to tobacco laws by **LOCAL AND/OR STATE LAW ENFORCEMENT AGENCIES**. Please fill in the number requested. If State law does not provide for tobacco retailer license/permit suspension or revocation, please mark “NA.”

PENALTY	OWNERS	CLERKS	TOTAL
Number of <u>citations issued</u>	0	111	111
Number of <u>fin es assessed</u>	0	111	111
Number of <u>permits/licenses suspended</u>	NA		NA
Number of <u>permits/licenses revoked</u>	NA		NA
Other (Please describe.)	0	0	0

c. What additional activities are conducted in your State to support enforcement and compliance with State tobacco access law(s)? (Check all that apply.)

- Merchant education and/or training
- Incentives for merchants who are in compliance (e.g., reward and reminder)
- Community education regarding youth access laws
- Media use to publicize compliance inspection results
- Community mobilization to increase support for retailer compliance with youth access laws
- Other activities (Please list.) _____

Briefly describe all checked activities:

Merchant education and/or training: AMH continues to provide merchant education materials to retailers as requested and through access on the AMH website. Information about Oregon laws related to youth access and sales of tobacco to minors, as well as store signage and clerk training materials are available at no cost to retailers or tobacco prevention coalitions. In addition, the Synar Coordinator provides retailer training throughout the year to retailers and retail associations, as requested.

Incentives for merchants who are in compliance: In addition to statewide activities around retailer compliance, many local coalitions and law enforcement agencies

conduct reward & reminder visits throughout the state. Unfortunately, there is no organized network to report local findings on these activities. However, in all cases, clerks and/or stores are rewarded for refusing the sale of tobacco to minors. These are a variety of rewards, ranging from cash awards, and restaurant and movie rental certificates, to “Thank You” certificates for stores whose clerks refuse to sell.

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

- d. 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 5d, please describe the State’s procedure for minimizing risk of bias to the survey results:

First, only few sample retailers are inspected in an area and their identity is not known to any one but the inspectors. Second, sample retailers in an area are inspected at about the same time to minimize communication among retailer community.

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 2008 (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.

- 7. Please answer the following questions regarding the State’s annual random, unannounced inspections of tobacco outlets** (see 45 C.F.R. 96.130(d)(2)).

- a. Did the State use the optional Synar Survey Estimation System (SSES) to analyze the Synar survey data?** Yes No

If Yes, attach SSES summary tables 1, 2, 3, 4 and 5 along with the ASR submission and go to Question 8. If No, continue to Question 7b.

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

Unweighted RVR

Weighted RVR

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

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

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

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

d. **How were the (weighted) RVR estimate and its standard error obtained?** (*Check the one that applies.*)

Form 2 (Optional) in Appendix A (Forms) (*Attach completed Form 2.*)

Other (*Please specify. Provide formulae and calculations or attach and explain the program code and output with description of all variable names.*)

e. **If stratification was used, did any strata in the sample contain only one outlet or cluster this year?** Yes No No stratification

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

f. **Was a cluster sample design used?** Yes No

If Yes, fill out and attach Form 3 in Appendix A (Forms 1–5), and answer the following question.

If No, go to Question 7g.

Were any certainty primary sampling units selected this year? Yes No

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

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

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

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

8. Did the State's Synar survey use a list frame? Yes No

If Yes, answer the following questions about its coverage.

a. The calendar year of the latest frame coverage study: 2007

b. Percent coverage from the latest frame coverage study: 84.14

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: 2010

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. Provide the inspection period: From 1/1/2008 To 6/30/2008
MM/DD/YY MM/DD/YY

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

15

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.

c. Fill out and attach Form 5 in Appendix A (Forms 1–5). (Not required if the State used the Synar Survey Estimation System (SSES) to analyze the Synar survey data.)

SECTION II: FFY 2009 (Intended Use):

Public law 42 U.S.C. 300x-26 of the Public Health Service Act and 45 C.F.R. 96.130 (e) (4, 5) require that the States provide information on future plans to ensure compliance with the Synar requirements to reduce youth tobacco access.

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

Synar sampling methodology Yes No

Synar inspection protocol Yes No

If changes are made in either the Synar sampling methodology or the Synar inspection protocol, the State is required to obtain approval from CSAP prior to implementation of the change and file an updated Synar Survey Sampling Methodology (Appendix B) or an updated Synar Survey Inspection Protocol (Appendix C), as appropriate.

2. Please describe the State's plans to maintain and/or reduce the target rate for Synar inspections to be completed in FFY 2009. Include a brief description of plans for law enforcement efforts to enforce youth tobacco access laws, activities that support law enforcement efforts to enforce youth tobacco access laws, and any anticipated changes in youth tobacco access legislation or regulation in the State.

Merchant Education - DHS has a plan to continue its merchant education program with updated educational materials;

Retailer Training - DHS plans to continue its retailer (owner/clerk) training program.

Enforcement - DHS continues enforcing youth access laws through its local public health agencies.

Maintaining List Frame - DHS continues updating and cleaning to maintain the completeness and accuracy of the Synar list frame.

3. Describe any challenges the State faces in complying with the Synar regulation. (Check all that apply.)

- Limited resources for law enforcement of youth access laws
- Limited resources for activities to support enforcement and compliance with youth tobacco access laws
- Limitations in the State youth tobacco access laws
- Limited public support for enforcement of youth tobacco access laws
- Limitations on completeness/accuracy of list of tobacco outlets
- Limited expertise in survey methodology
- Laws/regulations limiting the use of minors in tobacco inspections
- Difficulties recruiting youth inspectors
- Geographic, demographic, and logistical considerations in conducting inspections
- Cultural factors (e.g., language barriers, young people purchasing for their elders)
- Issues regarding sources of tobacco under tribal jurisdiction
- Other challenges (*Please list.*) _____

Briefly describe all checked challenges and propose a plan for each, or indicate the State's need for TA related to each relevant challenge.

Limited resources for law enforcement: While the SAPT Block Grant allows states to utilize some funding to complete the requirements of the Synar Survey, additional state resources are not made available for further enforcement activities on a statewide basis. Some local communities do require retail licensure to sell tobacco products, and this provides additional funding for enforcement activities. However, there are very few of these communities across the state.

Limitations on completeness/accuracy of list of tobacco outlets: Oregon does not require retail tobacco licensure, and therefore a comprehensive list of tobacco retailers is not available. AMH works with the Department of Revenue to update and maintain its master list frame of tobacco retailers as accurately as possible. Accuracy and completeness of the master list is validated through county prevention staff, when possible, local tobacco prevention coalitions and records obtained through the Office of the State Attorney General.

Laws/regulations limiting use of minors in tobacco inspection: Child Labor Laws from Oregon's Bureau of Labor and Industries limits working hours for 15-year-old youth inspectors. When school is in session, the limits include:

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

While this is not a large problem on the Western side of the state, Eastern Oregon can be a challenge. Travel time to cover inspections for a geographic area in Eastern Oregon can take 3-4 hours, which is the maximum length of time 15-year-old youth can work according to the guidelines mentioned above.

Difficulties recruiting youth inspectors: Recruiting minority youth in selected, particularly non-urban, areas of the state continues to be difficult due to limited number of minority youth in these communities.

Geographic, demographic, and logistical considerations: Rural Eastern Oregon counties continue to present difficulty to inspectors. Driving time per inspected outlet is unusually high. This will continue to be an issue.

APPENDIX A: FORMS 1–5

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

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

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

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

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

APPENDICES 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 appendices, therefore, should generally describe the design and protocol and 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).

APPENDIX B: SYNAR SURVEY SAMPLING METHODOLOGY

State: Oregon
 FFY: 2009

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
Oregon Department of Revenue (DOR)	6	The Department of Revenue develops and maintains list of tobacco retailers for collecting tobacco sales tax. DHS removes outlets which are inaccessible to youth.	The list is updated and validated for accuracy and completeness by working with county prevention staff and local tobacco prevention coalitions, where possible.

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

Not applicable.

- a. Is any area left out in the formation of the area frame?** Yes No

If Yes, what percentage of the State’s population is not covered by the area frame?
 _____%

4. Federal regulation requires that vending machines be inspected as part of the Synar survey. Are vending machines included in the Synar survey? Yes No

If No, please indicate the reason they are not included in the Synar survey.

- State law bans vending machines
- State law bans vending machines from locations accessible to youth
- State has SAMHSA approval to exempt vending machines from the survey
- Other (*Please describe.*) _____

5. Which category below best describes the sample design? (*Check only one.*)

- Census (*STOP HERE: Appendix B is complete.*)

Unstratified State-wide sample:

- Simple random sample (*Go to Question 9.*)
- Systematic random sample (*Go to Question 6.*)
- Single-stage cluster sample (*Go to Question 8.*)
- Multi-stage cluster sample (*Go to Question 8.*)

Stratified sample:

- Simple random sample (*Go to Question 7.*)
- Systematic random sample (*Go to Question 6.*)
- Single-stage cluster sample (*Go to Question 7.*)
- Multi-stage cluster sample (*Go to Question 7.*)
- Other** (*Please describe and go to Question 9.*) _____

6. Describe the systematic sampling methods. (*After completing Question 6, go to Question 7 if stratification is used. Otherwise go to Question 9.*)

7. Provide the following information about stratification.

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

b. Is clustering used within the stratified sample?

- Yes** (*Go to Question 8.*)
- No** (*Go to Question 9.*)

8. Provide the following information about clustering.

a. Provide a full description of how clusters are formed. (*If multi-stage clusters are used, give definitions of clusters at each stage.*)

b. Specify the sampling method (simple random, systematic, or probability proportional to size sampling) for each stage of sampling and describe how the method(s) is (are) implemented.

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

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

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

where n is the effective sample size, se is the standard error, \hat{p} is the non-compliance rate,

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

The target sample size is the same as the effective sample size since the design effect for SRS is one. The original sample size is determined by $n_o = (1 + r)n$, where $r = 50\%$ is the inflation factor (safety margin) used to counter the sample attrition. A violation rate of 20% will be used in determining the sample size for all reporting years beginning with 2008.

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APPENDIX C: SYNAR SURVEY INSPECTION PROTOCOL

State: Oregon
FFY: 2009

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

1. How does the State Synar survey protocol address the following?

a. Consummated buy attempts?

- Required Not Permitted
 Permitted under specified circumstances Not specified in protocol

b. Youth inspectors to carry ID?

- Required Not Permitted
 Permitted under specified circumstances Not specified in protocol

c. Adult inspectors to enter the outlet?

- Required Not Permitted
 Permitted under specified circumstances Not specified in protocol

d. Youth inspectors to be compensated?

- Required Not Permitted
 Permitted under specified circumstances Not specified in protocol

2. Identify the agency(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): Oregon State Police

3. Are Synar inspections combined with law enforcement efforts (i.e., do law enforcement issue warnings or citations to retailers found in violation of the law at the time of the inspection)?

- Always Usually Sometimes Rarely Never

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

AMH contracts with the Oregon State Police (OSP) to conduct the random and unannounced annual Synar inspections. OSP recruits and trains retired state troopers as adult inspectors who, in turn, recruit and train youth inspectors from each locality.

5. Are there specific legal or procedural requirements instituted by the State to address the issue of youth inspectors' immunity when conducting inspections?

- a. Legal** **Yes** **No** *(If Yes, please describe.)*

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

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

6. Are there specific legal or procedural requirements instituted by the State to address the issue of the safety of youth inspectors during all aspects of the Synar inspection process?

- a. Legal** **Yes** **No** *(If Yes, please describe.)*

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

The state Synar inspection protocol clearly states that youth safety is of top priority. Training emphasizes that both youth and adult inspectors take precautionary measures to ensure youth safety. Adult inspectors assess each tobacco retailer to make sure that there are no circumstances which could compromise youth safety. Inspections are suspended if youth safety is of concern.

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

- a. Legal** **Yes** **No** *(If Yes, please describe.)*

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

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

DHS is required to coordinate with Oregon State police to conduct annual random and targeted, unannounced inspections of over the counter tobacco retailer outlets to

insure compliance with, and enforce, Oregon laws designed to limit youth access to tobacco products (OAR 415-060-0040(1)). Other procedural requirements include:

The random sampling method must reflect youth (under 18) and tobacco outlet distributions throughout the state;

Inspections must occur at times when minors are likely to purchase tobacco products;

Random inspections must occur only in areas where tobacco products are sold or distributed and are open to the public;

Outlets may be inspected no more than once per month, unless there have been reports of prior sales to minors.

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

APPENDIX D: LIST SAMPLING FRAME COVERAGE STUDY

(LIST FRAME ONLY)

State: Oregon

FFY: 2009

1. Calendar year of the coverage study: 2007

2. Percent coverage found: 86.14%

(Provide calculation of the percent coverage.)

$100 * (\text{number of canvassed outlets matched to master list} / \text{number of canvassed sample outlets})$

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

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

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

AMH staff visited each tract with a detailed map; identified major commercial roads leading to or from each tract; determined a major road with a probability of $1/n_r$ where n_r is the number of commercial roads leading to or from the tract; and canvassed the tract beginning with the identified road until 5 to 8 eligible retailers were identified and interviewed. In tracts where there were not sufficient retailers, retailers in the adjacent tract (the other side of the road) were interviewed. A total of 339 retailers were interviewed, an average of between 6 and 7 retailers per census tract.

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

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