

ANNUAL SYNAR REPORT

42 U.S.C. 300x-26

OMB № 0930-0222

FFY 2018

State: Oregon

DRAFT

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Public Burden Statement: 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. Public reporting burden for this collection of information is estimated to average 18 hours per respondent, per year, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to SAMHSA Reports Clearance Officer, 5600 Fisher's Lane, Rockville, MD 20857.

INTRODUCTION

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

How the Synar report helps the Center for Substance Abuse Prevention

In accordance with the tobacco regulations, states are required to provide detailed information on progress made in enforcing youth tobacco access laws (FFY 2017 Compliance Progress) and future plans to ensure compliance with the Synar requirements to reduce youth tobacco access rates (FFY 2018 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 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) 276-2550 and ask for your respective State Project Officer, or contact your State Project Officer directly by telephone or email. If you have questions about fiscal or grants management issues, you may call the Grants Management Officer, Office of Financial Resources, Division of Grants Management, at (240) 276-1422.

Where and when to submit the Synar report

The ASR must be received by SAMHSA no later than December 31, 2017 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 2018 Synar Survey Results: States that use the Synar Survey Estimation System (SSES) must upload one copy of SSES Tables 1–5 (in Excel) to WebBGAS. 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 2018: 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 2018 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 2018 is up-to-date and approved by the Center for Substance Abuse Prevention.

State: Oregon

Name of Chief Executive Officer or Designee: Royce Bowlin

Signature of CEO or Designee:

Title: Behavioral Health Director

Date Signed:

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

SECTION I: FFY 2017 (Compliance Progress)

YOUTH ACCESS LAWS, ACTIVITIES, AND ENFORCEMENT

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

1. Please indicate any changes or additions to the state tobacco statute(s) relating to youth access since the last reporting year. If any changes were made to the state law(s) since the last reporting year, please attach a photocopy of the law to the hard copy of the ASR and also 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 to possess, purchase or receive tobacco
- Changed to require ID to purchase tobacco
- Changed definition of tobacco products
- Other change(s) *(Please describe.)* _____

c. Have there been any changes in state law that impact the following?

- Licensing of tobacco vendors Yes No
- Penalties for sales to minors Yes No
- Vending machines Yes No
- Added product categories to youth access law Yes No

2. Describe how the Annual Synar Report (see 45 C.F.R. 96.130(e)) was made public within the state prior to submission of the ASR. (Check all that apply.)

- Placed on file for public review
- Posted on a state agency Web site *(Please provide exact Web address and the date when the FFY 2018 ASR was posted to this Web address.)*

Web address:

<http://public.health.oregon.gov/PreventionWellness/TobaccoPrevention/Pages/retailcompliance.aspx>

Date published: 10/17/2017

- 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.)* The report has been distributed statewide to local public health and substance abuse prevention partners for review and comment.

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:

Oregon Health Authority

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

Yes No

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

Oregon Health Authority

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):

Oregon Health Authority and Oregon State Police

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).

Oregon Health Authority

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

Yes No

c. Describe the coordination and collaboration that occur between the agency responsible for tobacco prevention and the agency responsible for oversight of the Synar requirements. (Check all that apply.) The two agencies

- Are the same
- Have a formal written memorandum of agreement
- Have an informal partnership
- Conduct joint planning activities
- Combine resources
- Have other collaborative arrangement(s) *(Please describe.)* _____
- No relationship

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

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

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

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

- Yes No

g. Describe the coordination and collaboration that occur between the agency contracted with the FDA to enforce federal youth tobacco access laws and the agency responsible for oversight of the Synar requirements. (Check all that apply.) The two agencies:

- Are the same
- Have a formal written memorandum of agreement
- Have an informal partnership
- Conduct joint planning activities
- Combine resources
- Have other collaborative arrangement(s) *(Please describe.)* _____
- No relationship

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

- Yes No

5. Please answer the following questions regarding the state's activities to enforce the state's youth access to tobacco law(s) in FFY 2017 (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130(e)).

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

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

- b. The following items concern penalties imposed for all violations of state youth access to tobacco laws by LOCAL AND/OR STATE LAW ENFORCEMENT AGENCIES (this does not include enforcement of local laws or federal youth tobacco access laws). Please fill in the number requested. If state law does not allow for an item, please mark “NA” (not applicable). If a response for an item is unknown, please mark “UNK.” The chart must be filled in completely.

PENALTY	OWNERS	CLERKS	TOTAL
Number of <u>citations issued</u>	NA	170	170
Number of <u>fin es assessed</u>	NA	170	170
Number of <u>permits/licenses suspended</u>	NA		NA
Number of <u>permits/licenses revoked</u>	NA		NA
Other (<i>Please describe.</i>)	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:

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

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

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

Yes No

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

Merchant education and/or training

A Tobacco Retail Sales webpage was created to provide online access for merchants on tobacco and inhalant delivery system sales laws, rules and how to

comply. These materials are available for download and are in English and Spanish and can be accessed at: <http://public.health.oregon.gov/PreventionWellness/TobaccoPrevention/Pages/retailcompliance.aspx>

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

- Community education regarding youth access laws

A Tobacco Retail Sales webpage was created to provide online access for merchants on tobacco and inhalant delivery system sales laws, rules and how to comply. These materials are available for download and are in English and Spanish and can be accessed at: <http://public.health.oregon.gov/PreventionWellness/TobaccoPrevention/Pages/retailcompliance.aspx>

- Media use to publicize compliance inspection results

Multiple local public health departments used earned media to share their local compliance inspection results and build support for passing tobacco retail policies to help protect youth from the harms of tobacco.

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

- 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 2017 (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, attach SSES summary tables 1, 2, 3, and 4 to the hard copy of the ASR and upload a copy of SSES tables 1–5 (in Excel) to WebBGAS. Then go to Question 8. If No, continue to Question 7b.

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

Unweighted RVR _____

Weighted RVR _____

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

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

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

plus times

Accuracy rate _____

Completion rate _____

c. **Fill out Form 1 in Appendix A (Forms 1–5).** (*Required regardless of the sample design.*)

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

- Form 2 (Optional) in Appendix A (Forms 1–5) (*Attach completed Form 2.*)
 Other (*Please specify. Provide formulas and calculations or attach and explain the program code and output with description of all variable names.*)

e. **If stratification was used, did any strata in the sample contain only one outlet or cluster this year?**

- Yes No 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 noncompletion)	
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 Sampling frame coverage study: 2016

b. Percent coverage from the latest Sampling frame coverage study: 88.5%

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: 2019

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

In December 2016, Oregon emailed Clark Hagen, Oregon's Synar project officer, requesting approval for changing the Synar inspection protocol for FFY 2018. The revised protocol was submitted on December 14th and approved by Clark Hagen on December 15th.

b. Provide the inspection period: From 07/06/2017 to 09/03/2017
MM/DD/YY MM/DD/YY

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

9

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.

No difference

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

SECTION II: FFY 2018 (Intended Use):

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

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

- Synar sampling methodology Yes No
Synar inspection protocol Yes No

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

2. Please describe the state's plans to maintain and/or reduce the target rate for Synar inspections to be completed in FFY 2018. 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.

Oregon Health Authority coordinates Synar and State Enforcement inspections, the two types of tobacco retail inspections conducted in the state. Program staff fulfill Synar Program duties. Discussions continue with Synar Coordinators and Enforcement staff from other states on potential continuous quality improvement strategies. A Tobacco Retail Sales webpage was created to provide merchants online access to tobacco and inhalant delivery system sales laws, new rules and information on how to comply. These materials are available for download, are in English and Spanish, and can be accessed at: <http://public.health.oregon.gov/PreventionWellness/TobaccoPrevention/Pages/retailcompliance.aspx>. Oregon continues to consider all options to lower the RVR; for example, online training could be another tool to help address non-compliance rates.

The Synar List Frame completeness has improved and will continue to be updated. Oregon Health Authority shares retailer lists with the Department of Revenue and the Attorney General's Office, and obtains updated tobacco retailer lists from local jurisdictions with tobacco retailer licensing. The Synar Coordinator will continue to work with local tobacco prevention and education program coordinators in maintaining accurate local tobacco retailer outlet lists, while adding new retail locations in Oregon's Synar List Frame as they are identified through enforcement inspections conducted by the Oregon State Police (OSP). The Synar Coverage Study was conducted last year, which was an additional source for increasing the accuracy of the Synar List Frame.

The OSP Tobacco Enforcement Program continues to help keep the focus of youth access to tobacco at the forefront. The program, which includes citing clerks who sell tobacco to youth, currently inspects up to 1500 additional tobacco retail outlets each year, separate from the current Synar Inspections.

On August 9, 2017, Governor Kate Brown signed Senate Bill 754 into law. This law raised the required minimum age for a person to legally buy or obtain tobacco products or inhalant delivery systems from 18 to 21. Enforcement of the law begins on January 1, 2018. Oregon Health Authority will collaborate with OSP to revise the Tobacco Enforcement Program inspection protocol to reflect this change in statute. Oregon Health Authority will also coordinate with SAMHSA to revise the Synar inspection protocol to reflect the increase in sales age. Specifically, 18 and 19-year-olds will be used to test compliance with laws regarding selling tobacco products and inhalant delivery systems to persons under 21 years of age.

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 access laws

While the Substance Abuse Prevention and Treatment (SAPT) Block Grant allows states to use funding to complete the requirements of the Synar Survey, the state has limited funding to provide additional enforcement of tobacco access laws statewide. In addition, jurisdictions that have local tobacco licensure ordinances have limited, if any, funding to enforce those ordinances. OHA continues to search for resources to continue providing limited enforcement inspections through the OSP, for continued and consistent enforcement in driving down the RVR.

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

While the SAPT Block Grant allows states to use funding to complete the requirements of the Synar Survey, the state has limited funding to provide additional enforcement of tobacco access laws on a statewide level. In addition, jurisdictions that have local tobacco licensure ordinances have limited, if any, funding to enforce those ordinances. These limited resources are used to conduct inspections and there is no additional funding available for activities to support enforcement and compliance with youth tobacco access laws. OHA continues to search for available funds to support activities to aide in enforcing and complying with youth tobacco access laws, as Oregon sees the importance of these activities in driving down the RVR.

- 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

Oregon does not require a tobacco retailer license to sell tobacco, and therefore a comprehensive list of tobacco retailers is not available. OHA works with the

Department of Revenue and the Department of Justice to update and maintain its master list of tobacco retailers so it is as accurate as possible. Accuracy and completeness of the list frame is validated through local public health and substance abuse prevention partners, and through records obtained through the Attorney General's Office and Synar Survey staff as they conduct retailer inspections.

Limited expertise in survey methodology

Laws/regulations limiting the use of minors in tobacco inspections

Difficulties recruiting youth 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 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.*) _____

APPENDIX A: FORMS 1-5

SSES Table 1 (Synar Survey Estimates and Samples Sizes)

CSAP-SYNAR REPORT

State	OR
Federal Fiscal Year (FFY)	2018
Date	10/2/2017 10:41
Data	Microdata_2018_09202017.xlsx
Analysis Option	Stratified SRS with FPC

Estimates

Unweighted Retailer Violation Rate	9.9%
Weighted Retailer Violation Rate	9.9%
Standard Error	1.5%
Is SAMHSA Precision Requirement met?	YES
Right-sided 95% Confidence Interval	[0.0%, 12.4%]
Two-sided 95% Confidence Interval	[6.9%, 12.9%]
Design Effect	1.0
Accuracy Rate (unweighted)	87.3%
Accuracy Rate (weighted)	87.2%
Completion Rate (unweighted)	98.3%

Sample Size for Current Year

Effective Sample Size	174
Target (Minimum) Sample Size	174
Original Sample Size	400
Eligible Sample Size	349
Final Sample Size	343
Overall Sampling Rate	12.1%

SESS Table 2 (Synar Survey Results by Stratum and by OTC/VM)

STATE: OR
FFY: 2018

Samp. Stratum	Var. Stratum	Outlet Frame Size	Estimated Outlet Population Size	Number of PSU Clusters Created	Number of PSU Clusters in Sample	Outlet Sample Size	Number of Eligible Outlets in Sample	Number of Sample Outlets Inspected	Number of Sample Outlets in Violation	Retailer Violation Rate(%)	Standard Error(%)
All Outlets											
1	1	3,260	2,844	N/A	N/A	400	349	343	34	9.9%	
Total		3,260	2,844			400	349	343	34	9.9%	1.5%
Over the Counter Outlets											
1	1	3,260	2,844	N/A	N/A	400	349	343	34	9.9%	
Total		3,260	2,844			400	349	343	34	9.9%	1.5%
Vending Machines											
1	1	0	0	N/A	N/A	0	0	0	0	0.0%	
Total		0	0			0	0	0	0	0.0%	0.0%

SESS Table 3 (Synar Survey Sample Tally Summary)

STATE: OR
 FFY:
 2018

Disposition Code	Description	Count	Subtotal
EC	Eligible and inspection complete outlet	343	
Total (Eligible Completes)			343
N1	In operation but closed at time of visit	6	
N2	Unsafe to access	0	
N3	Presence of police	0	
N4	Youth inspector knows salesperson	0	
N5	Moved to new location but not inspected	0	
N6	Drive thru only/youth inspector has no drivers license	0	
N7	Tobacco out of stock	0	
N8	Run out of time	0	
N9	Other noncompletion	0	
Total (Eligible Noncompletes)			6
I1	Out of Business	8	
I2	Does not sell tobacco products	19	
I3	Inaccessible by youth	21	
I4	Private club or private residence	0	
I5	Temporary closure	3	
I6	Can't be located	0	
I7	Wholesale only/Carton sale only	0	
I8	Vending machine broken	0	
I9	Duplicate	0	
I10	Other ineligibility	0	
Total (Ineligibles)			51
Grand Total			400

SESS Table 4 (Synar Survey Inspection Results by Youth Inspector Characteristics)

STATE:
OR
FFY:
2018

Frequency Distribution

Gender	Age	Number of Inspectors	Attempted Buys	Successful Buys
Male	14	0	0	0
	15	0	0	0
	16	5	174	23
	17	0	0	0
	18	0	0	0
	Subtotal	5	174	23
Female	14	0	0	0
	15	0	0	0
	16	4	169	11
	17	0	0	0
	18	0	0	0
	Subtotal	4	169	11
Other		0	0	0
Grand Total		9	343	34

Buy Rate in Percent by Age and Gender

Age	Male	Female	Total
14	0.0%	0.0%	0.0%
15	0.0%	0.0%	0.0%
16	13.2%	6.5%	9.9%
17	0.0%	0.0%	0.0%
18	0.0%	0.0%	0.0%
Other			0.0%
Total	13.2%	6.5%	9.9%

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).

APPENDIX B: SYNAR SURVEY SAMPLING METHODOLOGY

State: Oregon
 FFY: 2018

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	6	The Department of Revenue develops and maintains a list of tobacco retailers for collecting tobacco excise taxes. OHA removes outlets inaccessible to youth or that have been confirmed closed.	The list is updated and validated for accuracy and completeness by working with local public health and substance abuse prevention partners. List information is also updated and enhanced by inspectors conducting both Synar and Enforcement Inspections throughout the year.

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

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

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

- Vending machines are sampled separately to ensure vending machines are included in the sample
- Vending machines are sampled together with over the counter outlets, so it is possible that no vending machines were sampled, however they are included in the sampling frame and have a non-zero probability of selection
- Other reasons (Please describe.) _____

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

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

Unstratified statewide sample:

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

Stratified sample:

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

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

7. Provide the following information about stratification.

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

b. Is clustering used within the stratified sample?

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

8. Provide the following information about clustering.

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

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

9. Provide the following information about determining the Synar Sample.

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

Yes *(Respond to part b.)*

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

- b. SSES Sample Size Calculator used?**

State Level *(Respond to Question 10a.)*

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

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

10. Provide the following information about sample size calculations for the Synar survey conducted in FFY 2017.

- 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: 4.46%

Frame Size: 3,260

Input for Target Sample Size:

Design Effect: 1

Inputs for Original Sample Size:

Safety Margin: 50%

Accuracy (Eligibility) Rate: 86%

Completion Rate: 99.07%

Note: Oregon used the two-sided option for 95% confidence interval. Although the sample size calculator provided a planned original sample size of 305, Oregon conducted 400 attempts to oversample for its own purposes.

- 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:**

Not applicable

- 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.**

Not applicable

APPENDIX C: SYNAR SURVEY INSPECTION PROTOCOL SUMMARY

State: Oregon

FFY: 2018

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 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: The inspection protocol does not require the adult inspector to be in the outlet. The adult inspector must position self to observe the youth inspector at all times. This may be, but is not required to be, in the outlet.)
- Not permitted

d. Youth inspectors to be compensated?

- Required
- Permitted under specified circumstances (Describe: The inspection protocol does not specifically address compensation of youth inspectors. Oregon currently chooses to pay an hourly wage to all youth inspectors.)
- 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): Oregon State Police

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

Always Usually Sometimes Rarely Never

4. Describe the type of tobacco products that are requested during Synar inspections.

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

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

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

The protocol states that products purchased during inspections will be as close as possible to the following ratio:

7/10 purchases will be cigarettes

2/10 purchases will be electronic cigarettes

1/10 purchases will be cigarillos

Specific brands are not stated in the protocol, but adult inspectors usually have the youth inspectors request Marlboro Reds when purchasing cigarettes and Blu electronic cigarettes when purchasing electronic cigarettes.

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

OHA, in partnership with Oregon State Police, recruits and trains adult inspectors (retired state police troopers), who, in turn, recruit and train youth inspectors. The attached Synar Protocols details the training for both adult and youth inspectors.

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

OHA, in partnership with Oregon State Police, recruits and trains adult inspectors (retired state police troopers), who, in turn, recruit and train youth inspectors.

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

- a. Legal

Yes No

(If Yes, please describe.)

b. Procedural

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 person under 18 years of age who is acting under the supervision of an adult may purchase, attempt to purchase or acquire tobacco products or inhalant delivery systems for the purpose of testing compliance with a federal law, state law, local law or retailer management policy limiting or regulating the delivery of tobacco products or inhalant delivery systems to minors."

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

a. Legal

Yes No

(If Yes, please describe.)

b. Procedural

Yes No

(If Yes, please describe.)

The state Synar Inspection Protocol clearly states that youth safety is 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.

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

a. Legal

Yes No

(If Yes, please describe.)

Oregon Administrative Rules (OAR) require that inspections be conducted "at times when minors are likely to purchase tobacco products or inhalant delivery systems."

b. Procedural

Yes **No**

(If Yes, please describe.)

OHA is required to coordinate with the Oregon State Police to conduct annual random, unannounced inspections of tobacco retailers to ensure compliance with and enforce Oregon laws designed to limit youth access to tobacco products (OAR 333-015-0215(1)). Other procedural requirements include:

- The random sampling method must reflect youth (under 18) and tobacco outlet distribution 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.

Each of these requirements serves to strengthen the inspection protocol.

In addition, Oregon has chosen to use only 16-year-old youth inspectors.

APPENDIX D: LIST SAMPLING FRAME COVERAGE STUDY

(LIST FRAME ONLY)

State: Oregon
FFY: 2018

1. Calendar year of the coverage study: 2016
2.
 - a. Unweighted percent coverage found: 88.5%
 - b. Weighted percent coverage found: %
 - c. Number of outlets found through canvassing: 226
 - d. Number of outlets matched on the list frame: 200
3.
 - a. Describe how areas were defined. (e.g., census tracts, counties, etc.)

Sixty one out of 755 (8.1%) census tracts had no known tobacco retail outlets and 555 had less than seven retailers. Census tracts were re-grouped so that each unit had a potential of seven retailers, resulting in 415 sampling units to draw from. Collapsing of census tracts was conducted in the ArcGIS software to create contiguous combinations of census tracts until the sum number of known retailers in each group equaled seven or more know retailers. Groupings of census tracts contained between 1-3 census tracts per grouping, depending on the estimated number of tobacco retailers in each census tract. These groupings of census tracts formed the sample units.

- 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.

Twenty four (5.8%) of the 415 sampling units were chosen randomly by assigning a random number to each of the sampling areas and selecting the top twenty four units. Twenty four units were expected to contain a total of 168 (seven per unit) to 200 (ten per unit) outlets, meeting the requirements for sampling based on the coverage study manual.

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

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.

Field observers were provided maps for each sample unit which delineated areas with tax lots zoned for retail or commercial use. Field observers explored all delineated areas and searched for all potential tobacco retailers by following predetermined routes. Predetermined routes were created by mapping routes of all roads to drive where any retail business or commercial areas were zoned within the sample unit. This resulted in 100% coverage of all potential retail or commercial zoned areas within the sample unit. Field observers were not provided any lists or other information of known tobacco retailers within the sample areas prior to or during canvassing. Field observers were instructed to drive or walk each road in a route and look for any visible signs of retail sales. If retail sales information, business names, or signage were visible while driving or walking, the field observer was instructed to enter all businesses found and determine if the outlets sold tobacco.

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.

Canvassers enter the outlet and look for visible tobacco products. If they did not observe any tobacco product in the outlet, they asked the clerk if the outlet sold tobacco products.

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).

A match between a retailer in the master list and a retailer in the list of canvassed retailers is confirmed when the two share (a) address, business name and city, or (b) address and city.

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