

ANNUAL SYNAR REPORT

42 U.S.C. 300x-26

OMB № 0930-0222

FFY 2023

State: AK

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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: AK
Name of Chief Executive Officer or Designee: Gennifer Moreau
Signature of CEO or Designee: Gennifer Moreau
Title: Director Division Behavioral Health
Date Signed: 12/30/2022
If signed by a designee, a copy of the designation must be attached.

FFY: 2023

State: AK

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?

No.

b. Have there been any changes in state law that impact the state's protocol for conducting *Synar inspections*?

No.

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

Licensing of tobacco vendors: **No.**

Penalties for sales to minors: **No.**

Vending machines: **No.**

Added product categories to youth and young adult access law: **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.)

Posted on a state agency Web site (Please provide exact Web address and the date when the FFY 2023 ASR was posted to this Web address.)

Web address:

<https://health.alaska.gov/dbh/Pages/Prevention/programs/tobacco/default.aspx>

Date published:

Other (Please describe.): *Prior to submission of the ASR draft to SAMHSA, the same draft is placed on the state website identified above. Following SAMSHA approval of the ASR, the draft version on the website is replaced with the final ASR. The final approved ASR is also distributed at Tobacco Control Alliance events.*

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:**

Department of Law, Office of the Attorney General and Department of Health, Division of Behavioral Health

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

Yes.

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

Department of Health, Division of Behavioral Health

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

Yes.

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

Department of Health, Division of Behavioral Health

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

Yes.

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).**

Department of Health, Division of Public Health

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

Yes.

- 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**

Have an informal partnership.
Conduct joint planning activities.
Combine resources.

- 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?**

No (if no, go to Question 5).

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 state agency(ies).

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 citations issued	0	24	24
Number of fines assessed	2	24	26
Number of permits/licenses suspended	2		0
Number of permits/licenses revoked	0		0
Other (Please describe.)	0	0	0

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.

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:

To minimize the risk of survey bias, the enforcement team splits into groups and conducts simultaneous inspections. Throughout the inspection period, team members maintain contact via cell phones. If one team issues a citation, all other teams are immediately notified. Enforcement teams will conduct one or two more inspections and then terminate inspections for the day. During these post-citation inspections, enforcement teams want to specifically observe whether store personnel are talking among themselves of the tobacco citations just issued that day. If store personnel are aware of such citations, then stores most likely are passing this information among themselves. In these cases, the enforcement team will choose to reschedule investigations for a future date.

- 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 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?**

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:

Materials are available for all Alaska retailers related to the state's laws related to legal age for tobacco purchase/use, retailer responsibility to enforce youth access laws and suggestions to assist retailers in reducing violations of these laws. In recent years, the Alaska legislature has approved new funding to update, revise and reproduce new tobacco educational materials for retailers.

DBH staff are available upon request to provide retailer/clerk training and send materials to retailers upon request and periodically to all Alaska retailers.

Community education regarding youth and young adult access laws:

The Alaska Tobacco Control Alliance assists Behavioral Health in mobilizing community education, outreach, and support related to youth tobacco issues.

Media use to publicize compliance inspection results:

DBH uses the media to highlight compliance with the laws, the annual retail violation rates and issues related to health issues for youth who choose to use tobacco.

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

The Alaska Tobacco Control Alliance assist Behavioral Health in mobilizing community education, outreach, and support related to youth tobacco issues.

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?

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.

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.

Note: The following contains a summary of the information submitted in the SSES tables 1-8 in Excel.

Estimates:

Retail Violation Rate (RVR)

Unweighted RVR: 10.4%

Weighted RVR: 10.4%

Standard Error: 1.7%

Accuracy Rate: 99%

Completion Rate: 26.9%

Original Sample Size: 867

Eligible Sample Size: 858

Final Sample Size: 231

Overall Sampling Rate: 27.7%

8. Did the state’s Synar survey use a list frame?

Yes.

If Yes, answer the following questions about its coverage.

- a. The calendar year of the latest Sampling frame coverage study: 2019**
- b. Percent coverage from the latest Sampling frame coverage study: 98.45**
- c. Was a new study conducted in this reporting period?**

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: 2024**

9. Has the Synar survey inspection protocol changed from the previous year?

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 6/1/2022 to 9/30/2022**
MM/DD/YY MM/DD/YY
- c. Provide the number of youth and young adult inspectors used in the current inspection year:**

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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.

Three of the seven youth and young adult inspectors served as secondary inspectors, still in training.

- 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: **No.**

Synar inspection protocol: **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.

Alaska anticipates the following statewide tobacco enforcement activities for FFY23:

- Work with our partners in the Alaska Court System and the Alaska Department of Commerce, Community and Economic Development (DCCED), to process suspensions for vendors convicted of selling tobacco to youths in a timelier manner. Suspensions of tobacco endorsements block vendors from selling tobacco to the public for specified periods of time. Suspensions of tobacco endorsements have been slow due to high personnel turnover.
- Continue efforts to educate vendors and communities about laws related to the sale of tobacco products to underage youth.
- Updating new vendor education materials and exploring positive rewards for vendors that do not sell tobacco to youths during investigations (example: mailing thank-you letters to vendors or publishing in local papers the names of vendors who do not sell tobacco to youths). Additional funds have been provided by the Alaska legislature to update and revise our current vendor education materials.
- Statewide Vendor Certification program. Upon completion of an on-site visit by State Investigators, tobacco retailer meeting the specified criteria, receive a certification as a responsible tobacco retailer.
- Mail letters to all tobacco vendors at least once yearly to remind them of tobacco access laws and to inform them that investigators may visit their premises to conduct under-cover tobacco investigations.

- Work in close partnership with DBH community grantees and Division of Public Health Tobacco Prevention grantees to assist in educating the local community about the importance of retailer enforcement of tobacco access and sell laws.

Alaska generally increases non-Synar compliance check inspections in communities and areas with high RVR rates in the prior 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.)*

Limitations on completeness/accuracy of list of tobacco outlets:

Due to the Covid-19 pandemic, tobacco vendor eligibility surveys typically administered in the spring and summer were not conducted. The completeness of our list of tobacco outlets is limited as the State was unable to add potential new vendors based on the knowledge of community leaders and corporate entities.

Geographic, demographic, and logistical considerations in conducting inspections:

Alaska's transportation challenges continue to consume much of the time and funding for the enforcement program. Due to Alaska's size and lack of infrastructure, much of this cannot be helped; however, given these challenges, the enforcement teams plan inspections far in advance and combine travel with other activities within the community.

Alaska has over 160 small, remote communities with 1 or more tobacco vendors. These are known non-complete communities due to one or more factors, including: high risk of compromised anonymity; commercial lodging is not available; safety issues; travel mode is limited (charter flights, weather, high costs, etc.). This results in a low completion rate. The state continues to work on its corrective action plan revised in FFY 2018 which includes steps to correctly identifying vendors which may be Synar ineligible.

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

Cultural factors vary widely from town to town, not only relative to the population of Alaskan Natives but also relative to the population of Asian and Russian retailers in rural communities. To help address cultural challenges, the enforcement team engages in year-round enforcement activities along with retailer education and a newly developed tobacco retailer certification program.

Other challenges (Please list.) High seasonal turnover rate among retail clerks & Vendors located on remote industrial sites:

Due to Covid19 the State was unable to perform underage inspections this year in rural and remote areas of the State. The safety for the minors and investigators who conduct the inspections was our top concern.

Seasonal activity and high turnover for store clerks in Alaska create an unusually chaotic retail environment. The enforcement team continually offers and provides training and education to retailers and as previously mentioned, has implemented a newly developed tobacco retailer certification program to help minimize the impact of these issues.

There are a number of mostly remote industrial sites (such as: oil and gas fields, mining

operations, and fish processors) that provide or contract for a company commissary for employees. Due to workplace safety and security, these vendors (numbering around 50) are not open to the general public nor to our tobacco enforcement team. They are, therefore, known non-complete and contribute to the state's low completion rate.

APPENDIX A: FORMS 1–5

The State of Alaska did not complete Appendix A as the State used the SSES to analyze the Synar Survey data.

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:	<u>AK</u>
FFY:	<u>2023</u>

1. What type of sampling frame is used?

List 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.*)

- 1 – Statewide commercial business list
- 2 – Local commercial business list
- 3 – State wide tobacco license/permit list
- 4 – Statewide retail license/permit list
- 5 – Statewide liquor license/permit list
- 6 – Other

Name of Frame Source	Type of Source	Description	Updating Method and Cycle
Alaska Department of Commerce, Community & Economic Development (DCCED), Division of Corporation, Business & Professional Licensing	3	Tobacco vendor business license endorsement list. Tobacco vendors are required to have a valid business license and tobacco endorsement	See below.

List Frame Data Source.

Alaska utilizes a list of tobacco vendors generated annually by the Alaska Department of Commerce, Community, & Economic Development (DCCED). Tobacco vendors are required to have a valid business license and tobacco endorsement (per AS 43.70.075. License Endorsement), both of which are issued by the DCCED. Both business license and endorsement are valid through December 31 of the year in which the license expires.

During February of each year, the DCCED generates a list of tobacco vendor endorsements for which the business license and endorsement have an expiration date greater than or equal to December 31 of the prior year.

Preparing the List Frame

The DCCED list of tobacco vendors is reviewed and “cleaned” in preparation for its use as the Synar list frame. These “clean-up” efforts include the following steps:

- a) **License Status.** Vendors with a license status of “inactive” are removed from the list frame. A vendor may choose to inactivate a business license prior to its expiration date. A license status of inactive denotes that the vendor voluntarily ceases all business activity allowed under the license.
- b) **Business Physical Address.** Vendors with a business license that does not include an Alaska physical address are removed from the list frame (for example, cruise ships or fishing boats that have a home port in Seattle, WA).
- c) **Tribal Lands.** Tobacco endorsements associated with vendors on tribally controlled lands over which the State of Alaska has no jurisdiction are removed from the list frame. At present, the Annette Island Reserve (i.e., the community of Metlakatla) is the largest federal reservation for indigenous peoples in Alaska. In addition, the communities of Craig and Klawock each have a small area of about an acre with reservation status.
- d) **NAICS Codes.** When applying for a tobacco endorsement, a vendor identifies up to two NAICS (North American Industry Classification System) codes that generally describe the type of commercial activity in which the vendor is engaged. Vendor endorsements with the following NAICS codes are identified as youth-inaccessible and are removed from the list frame:

NAICS Code	NAICS Description
424810	BEER AND ALE MERCHANT WHOLESALERS
424940	TOBACCO AND TOBACCO PRODUCT MERCHANT WHOLESALERS
445310	BEER, WINE, AND LIQUOR STORES *
452910	WAREHOUSE CLUBS AND SUPERCENTERS
453991	TOBACCO STORES
454210	VENDING MACHINE OPERATORS
722410	DRINKING PLACES (ALCOHOLIC BEVERAGES)
813410	CIVIC AND SOCIAL ORGANIZATIONS (Endorsements with this NAICS code that are private clubs with bars are identified as youth-inaccessible)

* A list of vendor endorsements with a NAICS code for Beer, Wine, and Liquor Stores is reviewed by enforcement staff; if enforcement staff know or believe that an outlet is or might be youth accessible (e.g., based on the business name), the outlet is kept on the list frame.

If a vendor endorsement has two NAICS codes, and one or both of the codes identifies the endorsement as youth-accessible, then the endorsement is included in the list frame.

The following Alaska state statutes are used as a basis for determining youth-inaccessibility:

- AS 11.76.100. Selling or Giving Tobacco to a Minor.
- AS 11.76.106. Selling Tobacco Outside Controlled Access.
- AS 11.76.107. Failure to Supervise Cigarette Vending Machine.

- AS 04.16.049. Access of Persons Under the Age of 21 to Licensed Premises (Regulation of Sales and Distribution of Alcoholic Beverages).
- AS 04.16.060. Purchase By or Delivery to Persons Under the Age of 21 (Regulation of Sales and Distribution of Alcoholic Beverages).

SAMHSA/CSAP provided the following guidance regarding AS 04.16.049. Access of Persons Under the Age of 21 to Licensed Premises as it pertains to identifying youth-inaccessible endorsements:

- Vendor endorsements that sell alcoholic beverages and also are identified as full-service restaurants (NAICS code 722110) are removed from the list frame. These endorsements can be considered youth-inaccessible due to the statutory requirement that individuals under 21 must remain in the restaurant area and cannot enter the bar area.
- Vendor endorsements that sell alcoholic beverages and are not identified as full-service restaurants are removed from the list frame. These endorsements can be considered youth-inaccessible due to the statutory requirement that a person under 21 may enter the premises only if accompanied by a parent, guardian, or spouse who has attained the age of 21. Note: this includes establishments that sell alcoholic beverages and are identified as limited-service restaurants (NAICS code 722211).

e) Additional Clean-Up Efforts

- **Prior Year Ineligibles.** Tobacco endorsements are removed from the list frame if they were identified in the prior year Synar investigation as:

Disposition Code	Disposition Description
I3	Inaccessible by Youth
I4	Private club or residence
I6	Unlocatable
I7	Wholesale only/carton sale only
I9	Duplicate (i.e., two distinct endorsement IDs referencing the same point of sale)

- **Synar Ineligibility Confirmation.** Tobacco endorsements are removed from the list frame if tobacco enforcement staff has knowledge, based on information obtained since June 1 of the prior year that the endorsement would be disposed of in a Synar investigation with one of five ineligible disposition codes (I3, I4, I6, I7, and I9). Knowledge of the ineligible disposition status is based on the following:
 - An education effort or tobacco investigation at the business site.
 - A Synar eligibility on-site survey for vendors identified as being youth inaccessible (i.e., one or both NAICS codes indicates the vendor is youth

inaccessible). For these vendors, eligibility status is confirmed on-site for each point of tobacco sale.

A Synar eligibility phone survey for vendors identified as being youth accessible (i.e., each NAICS code indicates the vendor is youth accessible). For these vendors, eligibility status is confirmed based on a phone survey of the owner or employee of the business, or a phone survey of a public official (city or tribal administrator or a city or tribal clerk) who has direct knowledge of tobacco sales in the rural village where a vendor is located. If the surveyed individual states that the business is closed, doesn't sell tobacco products, is not accessible to youth under 19 years of age, is unlocatable or is a private club/residence, then the endorsement is removed from the list frame.

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

N/A.

a. Is any area left out in the formation of the area frame?

N/A.

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?

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 from locations accessible to youth and young adults.

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

Census (STOP HERE: Appendix B is complete.)

APPENDIX C: SYNAR SURVEY INSPECTION PROTOCOL SUMMARY

State:	<u>AK</u>
FFY:	<u>2023</u>

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.

b. Youth and young adult inspectors to carry ID?

Required.

c. Adult inspectors to enter the outlet?

Required

d. Youth and young adult inspectors to be compensated?

Required

2. Identify the agency(ies) or entity(ies) that actually conduct the random, unannounced Synar inspections of tobacco outlets. (Check all that apply.)

State or local government agency(ies) other than law enforcement.

List the agency name(s): Alaska Department of Health, Division of Behavioral Health (DBH)

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)?

Usually.

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

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

Factors that influence the types of tobacco products requested by the youth include: gender, age, ethnic group, location within Alaska, and vendor type. Product types mainly include cigarettes and smokeless/spit tobacco, with an occasional request for cigars. (Reference the Alaska Youth Risk Behavior Surveillance System [YRBSS].) Youths are instructed to request either cigarettes (usually female) or chewing tobacco (usually males). When requesting cigarettes, youths ask for "Camels" first, which is a popular brand and can easily be pronounced by youth from diverse cultural backgrounds. If "Camels" are not available, youths ask for another brand of available cigarettes. When requesting chewing tobacco, youth ask for "Skoal," "Copenhagen," "Kodiak" or "Grizzly" brands, depending on retailer availability.

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

The adult supervisors are full-time State employees within the Department of Health & Social Services, Division of Behavioral Health. They are investigators who are recruited, selected, and hired in compliance with State hiring laws and regulations.

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

The student interns are recruited through local law enforcement and public health employees and school intern programs. They are not chosen solely on their enthusiasm or dedication to the program or upon their capability to purchase tobacco. The physical appearance of their age to everyday people is a major factor regarding whether they are hired. They should look their age. They are instructed on the manner of dress, make-up and accessories worn during survey activities. The protocol for investigators includes requirements for shaving (males should have clean shaven faces). Investigators having consistently high buy-rates for a particular community are carefully re-evaluated to ensure that they do not look older than 19 years of age.

The protocol covers training requirements for the student interns. It includes how to act, what to say, and how to respond to a variety of questions. Student interns are given the opportunity to practice the protocol in role-play exercises. When possible, provision is made for them to watch, or participate with, another student intern attempting a tobacco purchase as part of an actual investigation prior to working alone. Student interns are told never to entice an employee to sell through word or action. Student interns must answer truthfully if asked their age and must produce an ID if requested. Student interns are advised that they do not have to attempt a purchase if they know someone else in the business (they may, if they choose to do so), and they must NOT attempt a purchase from an employee whom they know. Student interns are trained to know they can always decline to go into a business or to leave a business if they feel uncomfortable or for any other reason.

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

No.

(If Yes, please describe.)

b. Procedural

Yes.

(If Yes, please describe.)

Student interns are instructed to cooperate when challenged by Retail Store Employees. An adult investigator is in close proximity to supervise the buy attempt and to account for the tobacco products.

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

No.

(If Yes, please describe.)

b. Procedural

Yes.

(If Yes, please describe.)

All investigators are trained to interrupt an operation rather than put student intern at risk or in a situation when he/she is inadequately monitored. Student Interns are trained to know they can leave a business or refuse to enter if they feel unsafe or uncomfortable. Investigation activity is coordinated with local law enforcement to increase awareness of potential problems.

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

No.

(If Yes, please describe.)

b. Procedural

Yes.

(If Yes, please describe.)

Alaska protocol allows for the enlistment of 15 through 18-year-old student interns. Alaska law prohibits the sale of tobacco to persons less than 19 years of age, so including 18-year-old student interns is satisfactory protocol for both enforcement and Synar survey objectives.

APPENDIX D: LIST SAMPLING FRAME COVERAGE STUDY

The State of Alaska did not complete Appendix D as the State did not perform a List Frame Sampling Frame Coverage Study