Connecticut DMHAS Tobacco Prevention and Enforcement Program (TPEP)

August 14, 2024

Presenters:

Jacquelyn Camposano, Special Investigator, CT State Department of Mental Health and Addiction Services

Kelley Edwards, MS, CPS, Behavioral Health Program Manager CT State Department of Mental Health and Addiction Services



Learning Objectives:

- Review the methodology of Connecticut's Tobacco Prevention and Enforcement Program (TPEP) for conducting tobacco and ENDS compliance inspections
- Identify the importance of partnerships for success
- Summarize successful communication strategies used to engage retailers and communities on tobacco access laws
- Understand how the above efforts reduce youth access to tobacco, e-cigarette and nicotine products



Agenda

US and CT Youth Use Data

Primary Prevention in CT

TPEP Compliance Checks

Partners

Illegal Products

Retailer Compliance Data

Education Materials and Resources



Youth Vaping and Nicotine Use in the US

Current e-cigarette use among high school students (2011-2023) 27.5% Grey box indicates change in data collection methodologies in response to the 25% COVID-19 pandemic Prevalence estimates prior to 2020 and after 2020 cannot be directly 20% compared as a result. 15% 10% 10.0% 2023

In <u>2023</u>, 4.6% of middle school students and 10% of high school students — roughly <u>2.13 million students</u> — reported current (i.e., past 30-day) e-cigarette use.

Among current e-cigarette users:

11.4% of middle school students and 29.9% of high school students reported daily use.

89.4% used flavored e-cigarettes.

Disposable e-cigarettes (60.7%), prefilled or refillable pods or cartridges (16.1%), and tanks or mod systems (5.9%) were the most commonly used device types.

Young people most commonly acquired e-cigarettes through social sources (56.9%) followed by retail sources (43.1%).

Source: National Youth Tobacco Survey (2011-2023), which includes responses from middle and high school students.

TOBACCO/ENDS USE BY YOUTH IN CT

CT School Health Survery, 2022-23



11.5% CT high school students are currently using ENDS

13.5% CT high school females are currently using ENDS

9.3% CT high school males are currently using ENDS



9.4% CT high school students in one shoreline town are currently using ENDS



35% CT high school students in one suburban town are currently using ENDS



16.7% CT high school students identifying as LBGTQIA+ are currently using ENDS



From 2019 to 2023 the number of youth accessing ENDS on their own in convenience stores fell from 14% to 10.8%

Connecticut Youth ENDS Use Data



Primary Prevention in Connecticut

Evidence-based primary prevention programs and strategies including family and youth programming to promote protective factors and reduce risk factors, as well as adult programs and public education and awareness campaigns.





DMHAS funds, and oversees 10 Resource Links – Strengthens prevention through capacity building, training and TA, youth focused mentorship, and much more



Local Prevention Councils – over 150 coalitions funded for substance use prevention efforts



Tobacco Prevention and Enforcement Program – reducing youth access to nicotine and tobacco products with over 5000 retailer inspections



CT Healthy Campus Initiative – on-campus prevention activities reaching 13 college campuses with over 24,000 individuals participating in 200 events across CT in 2023



Mental Health Promotion and Suicide Prevention – Co-Lead the CT Suicide Advisory Board, 988 hotline implementation and support 5 Regional Suicide Advisory Boards



Fatherhood Initiative – partnership with the Dept of Social Services to mentor fathers in building healthy relationships with their children and learning facts about substance use

Agenda

CT's Primary Prevention Overview

US and CT Youth Use Data

TPEP Compliance Checks

Partners

Illegal Products

Retailer Compliance Data

Education Materials and Resources



Tobacco Prevention and Enforcement Program

Our Mission: reduce youth access to tobacco, e-cigarette and nicotine products

Connecticut TPEP program is made up of 4 State and 5 Federal Special Investigators.

FDA conducts approximately 4,000 inspections a year, and the state conducts about 3,000

Our State Special Investigators focus on Synar 4 months out of the year. When they are not performing Synar inspections, they continue to conduct tobacco compliance inspections year-round, throughout the state.

CT is small enough in size for EVERY retailer to be inspected at least once each year, most are visited twice. This helps to educate retailers and promote compliance with tobacco laws.

Tobacco Prevention and Enforcement Program - Structure

TPEP's robust tobacco compliance inspection program features both a State and an FDA team. Together they perform thousands of unannounced inspections each year.

State

- State TPEP team performs routine and targeted compliance inspections throughout the year
- They partner with local police departments, and applicable state departments
- Utilizes data to identify youth use trends and areas of concern
- Performs annual Synar inspections
- Levies fine and penalties
- 16-20 year-old youth inspectors

FDA

- The Tobacco Control Act granted FDA the authority to regulate the manufacture, marketing and distribution of tobacco products
- DMHAS has held this contract since 2011
- FDA team conducts tobacco compliance inspections year-round
- Emphasizes work in urban communities and retailers in close proximity to schools
- Works in concert with the State program
- Levies fines and penalties against the owner
- 16-20 year-old youth inspectors



Synar Amendment

- Congressman Michael Synar started the Synar Amendment July 1992.
- This amendment requires all States to enact and enforce laws prohibiting the sale of tobacco products to anyone under the age of 21.
- States must comply with the Synar Amendment to receive their full Substance Use, Prevention, Treatment and Recovery Services Block Grant.



Youth Investigative Aides (IA)



Youth Investigators are paid, part time state employees

Training for the Youth is extensive and intentional, and occurs annually

DMHAS has a contract with a State Technical School. The school has a Criminal Justice program and gives the students an opportunity to do workbased learning with TPEP.

Youth IA have immunity from prosecution



Products our Youth Attempt to Purchase















Local Level Partnerships









- Partnerships are in place with law enforcement, State Department of Revenue Services (DRS) and Department of Consumer Protection (DCP) to enforce state laws.
- Partnerships with local prevention coalitions strengthen enforcement efforts by providing education to the community and to retailers





The Department of Revenue Services

- Retailers purchase Sale and Use tax permits and cigarette licenses
- DRS handles the administrative hearings and fines when retailers are non-compliant with the law
- DRS can suspend or revoke cigarette licenses for repeat violators
- DRS can write tickets and can execute searches in a business without search warrants
- DRS will seize all loosies, out of state tax stamps, fake tax stamps and untaxed cigarettes. They will also seize all cigars (Game, Backwoods, etc.) if the retailer can not provide copy of purchase receipts.





The Department of Consumer Protection

- Retailers purchase an ENDS Registration
- Prior to securing or renewing an ENDS Registration, retailers are required to take a training video on selling tobacco and ENDS products (10/1/24)
- DCP can suspend and revoke ENDS Registrations for repeat violators
- DCP also focuses on illegal cannabis products in stores and will partner with TPEP on inspections









Sign up

Stamford, CT

Subscribe

News Feed

Events

Local Businesses

Classifieds

5 Stamford Businesses Cited In Tobacco Compliance Checks: Police

Authorities conducted unannounced compliance checks on March 11, the Stamford Police Department said.



Richard Kaufman, Patch Staff (2)

Posted Tue, Mar 12, 2024 at 1:50 pm ET



Crime & Safety

6 Businesses Cited In Shelton Smoke Shop Inspections: Police

Police said six Shelton smoke shops were cited for selling tobacco products to customers under the age of 21 during recent inspections.



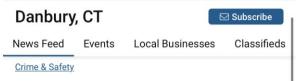
RJ Scofield, Patch Staff @

Posted Wed, Feb 7, 2024 at 6:05 pm ET



These products included gummies, loose marijuana cigarettes, high THC vape and electronic cigarettes, several synthetic cannabinoids and other THC products, Bango said.

Approximately 1,900 products worth an estimated \$76,000 were seized, according to Bango.



Police, State Agents, Nab 2 In Danbury Vape Shop Stings

A vape shop crackdown joint operation mounted by the police and several state agencies resulted in the arrest of two Danbury residents.



Rich Kirby, Patch Staff (2)

Posted Thu, Apr 4, 2024 at 6:40 pm ET



Additionally, police estimate they seized more than 30 pounds of illicit THC products from the which they said operated as a drug factory, with equipment for THC products to be weighed, processed and packaged for sale.

The Salaso operated as a drug factory, police said. It was the distribution hub for more than 21 pounds of illicit THC products and CBD packaged products with THC concentrations beyond allowable levels.

Agenda

CT's Primary Prevention Overview

US and CT Youth Use Data

TPEP Compliance Checks

Partners

Illegal Products

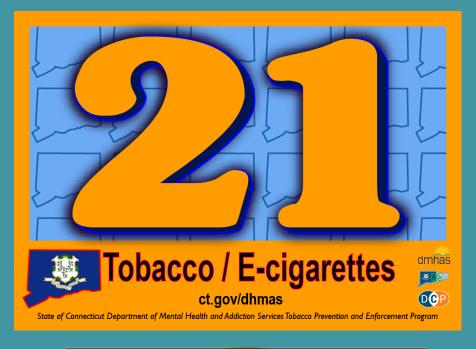
Retailer Compliance Data

Education Materials and Resources



New Law in 2019

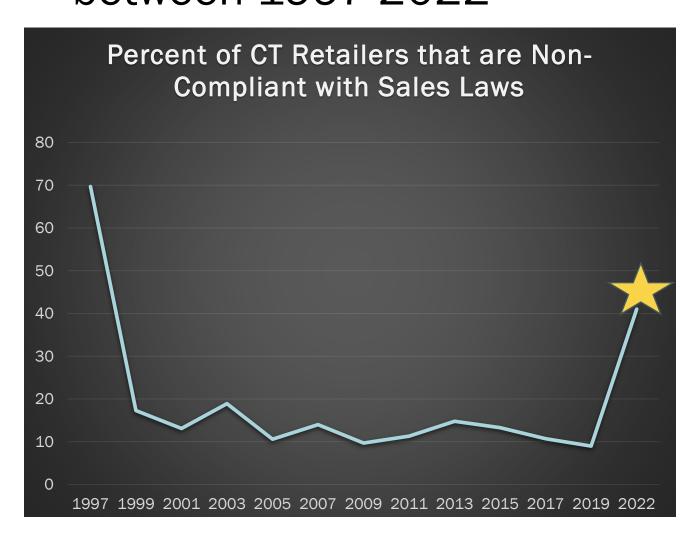
In October 2019, the minimum age to purchase tobacco and vape products in CT went from 18 to 21 years old.







Percent of Retailers Non-Compliant with Sales Laws between 1997-2022

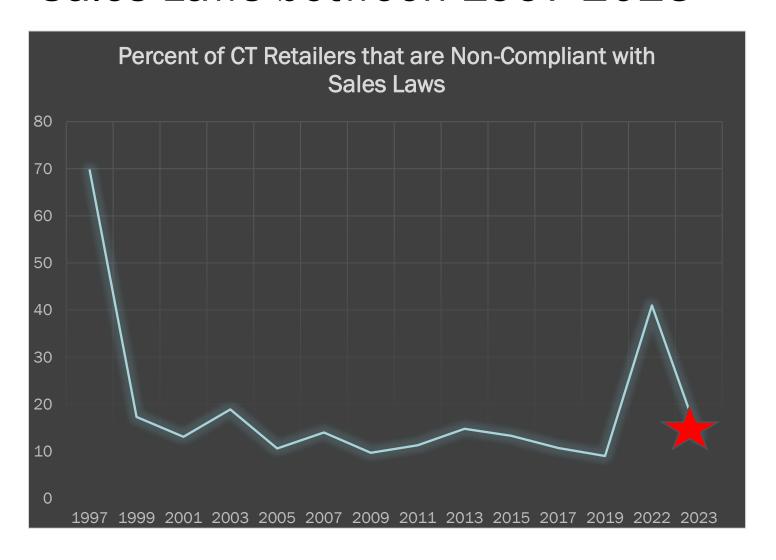


In 2022, non-compliance rates had climbed to 41% due to the perfect storm of:

- Tobacco 21 taking effect late 2019
- Increased in variety and popularity of vape products
- Covid 19 Pandemic which caused compliance inspections to cease from March 2020 until Fall of 2021.



Percent of Retailers Non-Compliant with Sales Laws between 1997-2023



In 2023 the RVR decreased to 13% thanks to local, state, and federal efforts.



How the 2023 RVR was lowered:

- State Inspections in 2023: <u>2,795</u>
 - 234 inspections were conducted in collaboration with law enforcement and/or DRS and resulted in 67 infractions ranging from \$300-\$1000
 - 1,027 inspections resulted in a fine or other penalty
- FDA completed <u>3,368</u> inspections in 2023
 - 226 of these had a financial penalty up to \$13,000.
 - 396 had a warning letters
 - 2746 no violation























Examples of Retailer Ed Materials used in CT



	VIOLATOR	S (SELLERS) ARE SUBJI	ECT TO:	
Penalty Type	1st OFFENSE	2nd OFFENSE	3rd OFFENSE	4th OFFENSE
CRIMINAL FINE	\$300	\$750	\$1,000	\$1,000
+		(within a 24-month period)	(within a 24-month period)	(within a 24-month period)
CIVIL PENALTY	\$300 (or complete Prevention Education Program within 30 days)	\$750 (within a 24-month period)	\$1,000 SUSPENSION OF DEALER'S REGISTRATION (within a 24-month period)	\$1,000 REVOCATION OF DEALER'S REGISTRATION (within a 24-month period)

IF YOU ARE UNDER 21 YEARS OF AGE IT IS ILLEGAL TO MISREPRESENT YOUR AGE TO BUY ELECTRONIC CIGARETTE PRODUCTS. **VIOLATORS ARE SUBJECT TO:**

110211011011111111111111111111111111111			
Penalty Type	1st OFFENSE	EACH SUBSEQUENT OFFENSE	
CRIMINAL FINE	\$50	not less than \$50 or more than \$100	

FREE ONLINE Prevention Education Training



www.CTtobaccotraining.com

products a notice to consumers that states (1) the sale, glining or delivering of electronic nicotine delivery systems and vapor products to any person under treatly-one years of age is prohibited by section 53-3440 of the general statutes, as amended by this act, (2) the use of late identification may a person under membry-one years of age to purchase an electronic nicotine delivery system or a vapor product to prohibited, and (3) the possible and finely for violating the provisions of this section and section 53-3440 of the general statutes, as amended by this act.









PARA COMPRAR PRODUCTOS DE CIGARRILLOS **ELECTRÓNICOS DEBE SER MAYOR DE 21 AÑOS**

(CIGARRILLOS ELECTRÓNICOS/ **PRODUCTOS DE VAPEO)**

QUIENES VIOLEN LA LEY (VENDEDORES) ESTÁN SUJETOS A:					
Tipo de sanción	1.º INFRACCIÓN	2.º INFRACCIÓN	3.º INFRACCIÓN	4.º INFRACCIÓN	
MULTA PENAL	\$300	\$750 (dentro de un período de 24 meses)		\$1,000 por cualquier infracción subsiguiente (dentro de un período de 24 meses)	
SANCIÓN CIVIL	\$300 (o completar un Programa de Educación Preventiva dentro de los 30 días)	\$750 (dentro de un período de 24 meses)	\$1,000 SUSPENSIÓN DEL REGISTRO DEL DISTRIBUIDOR (dentro de un período de 24 meses)	\$1,000 REVOCACIÓN DEL REGISTRO DEL DISTRIBUIDOR (dentro de un período de 24 meses)	

SI ES MENOR DE 21 AÑOS ES ILEGAL MENTIR **SOBRE SU EDAD PARA COMPRAR QUIENES** VIOLEN LA LEY ESTÁN SUJETOS A:

Tipo de sanción	1.º INFRACCIÓN	CADA INFRACCIÓN SUBSIGUIENTE
MULTA PENAL	no más de \$50	no menos de \$50 o más de \$100

Para obtener más información de educación preventiva visite la pagina web:

RA. 19-13 Sec. 12. (NUEVO) (vigente desde el 1 de octubre de 2019) (a) Cada entidad comercial con un registro de distribución deberá colocar y mantener en condiciones legibles en TODOS los puntos de venta de sistemas de administración de nicotina o productos de vapeo un aviso a los consumidores que indique (1) que la venta, entrega o envío de sistemas electrónicos de administración de nicotina y productos de yapeo a cualquier persona menor de veintiún años están prohibidos por la sección 53-344b de la legislación general, con las enmiendas esticuladas por esta le n de esta sección y la sección 53-344b de la legislación general, con las enmiendas estipuladas por esta ley

www.ct.gov/dmhas



















Merchant Education

- The Clearinghouse will mail all licensed retailers a packet with posters, stickers, multi-language tip sheets, window clings and other give aways
- While in the field Special investigators
 visit new retailers to handout notice signs,
 stickers and window clings. The
 investigator will explain the state laws to
 the clerk or owner and how much the
 fines are if they sell to a minor
- Retailer online Tobacco Training



www.cttobaccotraining.com



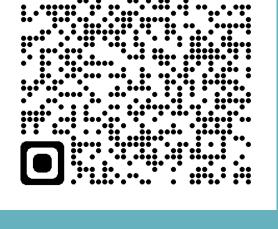
Retailer training website



Coalitions and Merchants

- Help them to see you as a resource/ally rather than out to get them for selling to minors
- Up-to-Date Information about laws related to tobacco and e-cigarette sales
- Ask them to hang coalition posters in store windows
- Publicly celebrate the merchants that pass compliance inspection
- ID Checking Guides







Involving Youth with Merchants to Reducing Access

- Brown Bags
- Stickers on Products
- Environmental Scans

• <u>Big Tobacco's "Corrective Statements"</u> | <u>Campaign for Tobacco-Free</u>

Kids (tobaccofreekids.org)

- tobaccosigntipline.com/tips/new
- Illegal products





Coalitions and Tobacco Compliance

- Understand who in your state conducts tobacco compliance, and what time of year
- Know who to report witnessing illegal sales to within the compliance team – open communication
- Merchant education can include coalition coordinator or members so that a positive relationship is fostered
- Try to keep lines of communication open between retailers, compliance and coalition members





Examples of TPEP's Community Education

Fox 61 student news messaging



PSA's -What You Do Matters

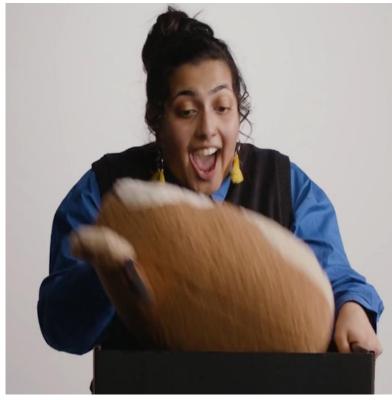


Social Media - Vaping Education with Influencers

www.knowurvape.com







Quitting Resources in CT



Vape Free CT (DPH)

<u>Vape Free CT - Let your best self</u>

<u>break free when you quit vaping.</u>



Quit Line 1-800-QUIT-NOW



Resources

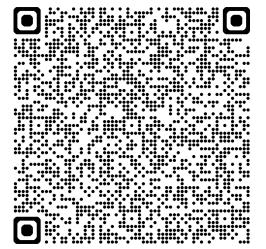


Home > Tobacco Products > Compliance, Enforcement & Training > Tobacco Compliance Check Outcomes

Tobacco Compliance Check Outcomes

(includes decisions through 06/30/2024)

This database includes inspections of brick-and-mortar retailers and online investigations.



Report Potential Tobacco Product Violation | FDA



Data from Federal Inspections by state



Contacts and additional resources

Jackie Camposano Email: Jacquelyn.n.Camposano@ct.gov Kelley Edwards Email: Kelley.Edwards@ct.gov







Portal.ct.gov Search TPEP Search DMHAS



DrugFreeCT.org

