

THE SYNAR SAMPLE SURVEY

In 1992, Congress amended the Public Health Service Act to include Section 1926. The Synar Amendment requires states to reduce the sale and free distribution of tobacco products to minors through enacting and enforcing youth access laws. To comply with the Synar Amendment, a state must prohibit the sale of tobacco to minors and demonstrate to the Secretary of Health and Human Services that sales to minors are decreasing. States must conduct annual, random, and unannounced inspections of both stores and vending machines to ensure that the law is being enforced. The Federal Government mandates inspections be obtained during the months of May through August each year, and provides guidelines for sampling procedures. The Maryland Department of Health and Mental Hygiene's Alcohol and Drug Abuse Administration Tobacco Retailer Compliance Section is responsible for conducting the inspections, and the Research Division provides the sample based on the following procedure.

Statewide licensed tobacco outlets included in the sample were provided by the State Comptroller of the Treasury. State licenses are issued by each subdivision and are part of a joint registration application process. The list of licensed outlets is approximately one year old at time of survey inspections, and may not include new outlets or exclude out of business outlets or those that no longer sell tobacco products. Sampling procedures yield a statistically valid result at a +/-3 percentage point confidence interval at the 95 percent level.

A random sample of ten percent of the outlets in each subdivision was selected. A second random sample of outlets was drawn from each subdivision to serve as a reserve sample. For FFY05, the target sample consisted of 783 outlets; 750 were ultimately surveyed. The 750 outlets in the final sample included 33 vending machines (4.4 percent). Outlets determined to be eligible but unavailable for inspection (closed at time of survey; potentially dangerous to youth) were excluded, and outlets determined to be ineligible (out-of-business; inaccessible to youth) were randomly replaced with outlets from the same subdivision. This year's sample of 750 included 105 replacements (14 percent). The most common reasons for replacement involved outlets no longer selling cigarettes, inaccessible to youth, or not located.

The Synar Survey Estimation System (SSES) software, provided by the Federal Center for Substance Abuse Prevention (CSAP) was applied to the raw data to obtain statewide estimates of the retailer violation rate, standard error and confidence interval, and accuracy and completion rates. Based on the SSES, the adjusted retailer violation rate for FFY 2005 was 8 percent, slightly higher than the unweighted rate of 7.3 percent, which is determined by the relatively straightforward method of dividing the number of "successful" attempts by the number of overall attempts.



The Synar Report is produced annually by the Alcohol and Drug Abuse Administration (ADAA), Department of Health and Mental Hygiene (DHMH)



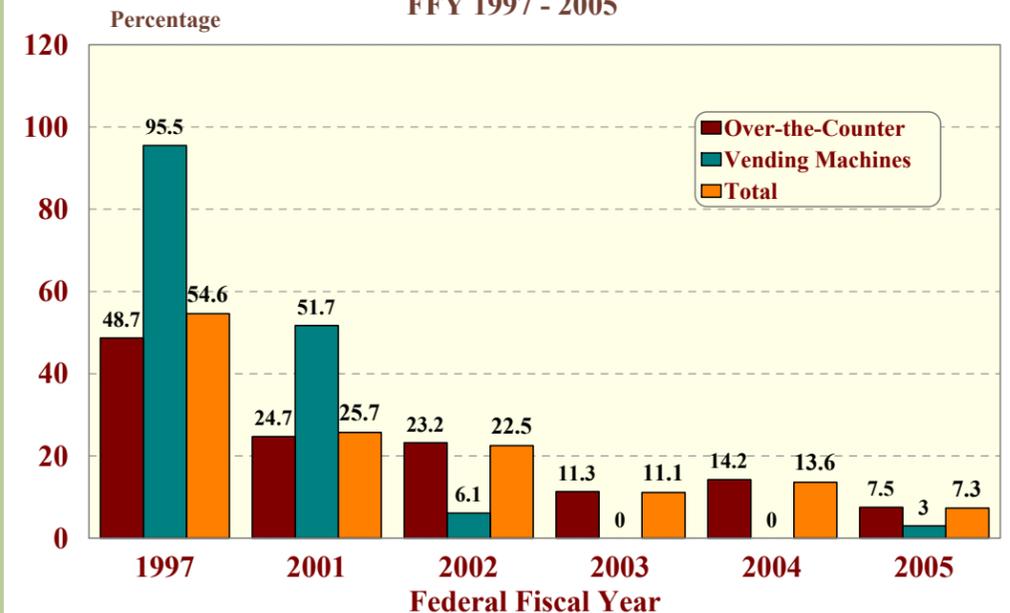
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SYNAR REPORT 2005

Retailer Compliance Rate Increases Dramatically, From 86.4 percent in FFY04 to 92.7 percent for FFY05

Maryland Retail Tobacco outlets continued their progress in decreasing the rate at which youth were able to purchase tobacco products, with a dramatic drop to an unweighted (see SYNAR Sample Box, page 4) 7.3 percent of attempted purchases this year in random, unannounced inspections (Figure 1). This improvement represents a 42.6 percent compliance increase since the first SYNAR survey in FFY 1997 (Figure 1). Inspections were conducted by youth workers under the direct supervision of the Alcohol and Drug Abuse Administration's Tobacco Retailer Compliance Division. It is important to note that in the surveys, which have been conducted since 1996, no actual purchases are made, nor do the youth touch any tobacco products in the course of determining compliance.

Figure 1
Maryland Synar Survey Unweighted Noncompliance Rates FFY 1997 - 2005



Compliance is measured by the retailer's positive response to the youth worker's request for a tobacco product. If the retailer agrees to the purchase, the youth terminates the transaction and leaves the property. If the retailer asks, the youth are instructed to honestly represent their age and present actual ID. If the retailer proceeds with the transaction, they are noted as non-compliant. Outlets that "fail" or are non-compliant are those indicating a willingness to sell the tobacco product to the teen worker. Likewise, when attempting to make a purchase from a vending machine, the outlet will have "failed" if the teen can go through the motions of making a purchase, without interruption.

Table 1
Attempted and Successful Buys by Age and Gender of Participating Youth for FFY04 and FFY05
Maryland 2003 SYNAR Report

Gender and Age	# attempted buys		#successful buys		% non-compliance	
	FFY04	05	FFY04	05	FFY04	05
Male 15	NA	310	NA	28	NA	9.0
Male 16	191	NA	37	NA	19.4	NA
Male 17	429	440	39	27	9.1	6.1
Subtotal	620	750	76	55	12.3	7.3
Female 15	72	NA	12	NA	16.6	NA
Female 16	NA	NA	NA	NA	NA	NA
Female 17	88	NA	18	NA	20.45	NA
Subtotal	160	NA	30	NA	18.8	NA
Total	780	750	106	55	13.6	7.3

YOUTH WORKER CHARACTERISTICS AND BUY RATE IN PERCENT BY AGE

Youth employed by the ADAA Compliance Unit were male adolescents, ages 15 and 17. Retailers agreed to sell tobacco products to youth workers in only 55 of 750 total attempted purchases. 57 percent or 440 of the attempted purchases were made by 17 year olds, resulting in 27 “successful attempts” yielding a 6.1 percent non-compliance rate for that age group. The remaining 310 attempted purchases were conducted by 15 year olds, with a surprisingly higher non-compliance rate of 9 percent for 28 “successful” attempts. These results are consistent with those of the previous year in that retailers agreed to sell to 16 year old males 19 percent of the time, and to 17 year old males only 9 percent of the time, with an overall non-compliance rate of 12 percent for male teens.

The fact that none of the teen workers was female in the FFY 05 Survey may account for some of the improvement in compliance rate, as in FFY04, retailers agreed to sell products to females 19 percent of the time. However, this factor can not solely account for the decrease in non-compliance, as the overall rate for males decreased from 12.3 percent in FFY04 to 7.3 percent in FFY05 (Table 1)

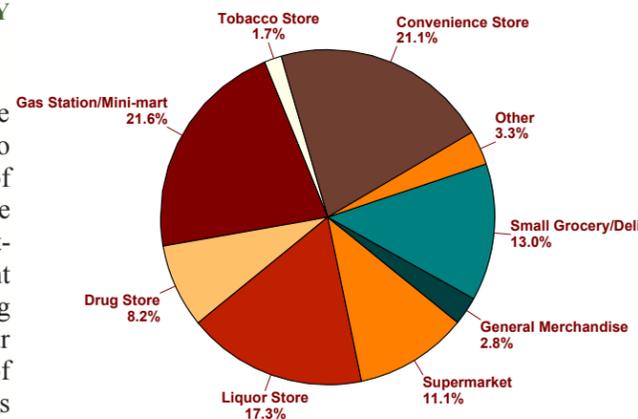
VENDING MACHINE RESULTS

In the first Maryland SYNAR survey in 1996, youth were successful in 96 percent of attempts to purchase cigarettes from vending machines. This year, youth workers attempted to purchase products at 33 vending machines in eight jurisdictions. Approximately 64 percent of the inspected vending machines were in bars/taverns, and another 12 percent were in restaurants or cafes. Of the 33 attempts, there was only one instance in which the retailer failed to interrupt the potential sale. This finding is consistent with the past three years, with only three total “successful” attempts from FFY02 to FFY05 (two in 02, none in 03 or 04, and one in 05).

OVER THE COUNTER CHARACTERISTICS

The survey distribution of over-the-counter locations is provided in Figure 2.

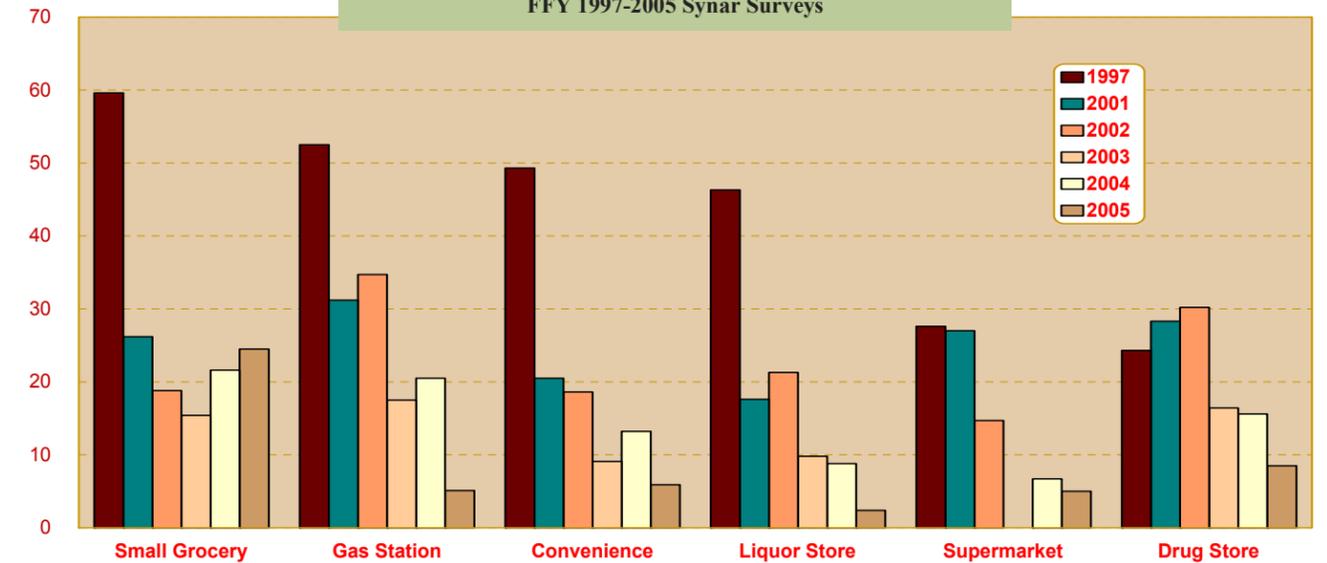
Figure 2
Distribution of Over-the-Counter Outlets
2005 Maryland Synar Survey



DISTRIBUTION OF CLERKS

Substantial headway has been achieved regarding the performance of retail clerks. Female clerks continue to be less likely to sell cigarettes to minors than male clerks, with a noncompliance rate of six percent versus a rate of nine percent for males. Female clerks estimated to be under the age of 35 in this year’s survey were significantly less likely to sell to minors than older females, 4.5 percent compared to 11 percent, suggesting that training procedures for younger employees have been effective.

Figure 3
Non-Compliance Rates for Types of Over the Counter Outlets
FFY 1997-2005 Synar Surveys



OVER THE COUNTER COMPLIANCE RATES BY TYPE OF OUTLET

The type of outlet with the highest non-compliance rate was the small grocery with a 25% noncompliance rate compared to under ten percent in every other category. Reasons for this finding are not readily evident and need to be investigated further in order to design effective interventions.

VISIBLE SIGNS

Inspectors noted signs declaring it is illegal for youth under the age of 18 to buy cigarettes on 76 percent of the vending machines and in 88 percent of the over-the-counter locations. Single cigarettes for sale were observed in only two locations.

CONTRIBUTIONS TO INCREASE IN RETAIL COMPLIANCE RATE

There are many reasons for Maryland’s success in decreasing non-compliance with Tobacco Access Laws. One may be an overall increased awareness in the general public based on Statewide initiatives aimed at prevention and cessation of tobacco use. In January, 2004, the Department of Health and Mental Hygiene (DHMH) released “The Report on the Fiscal Year 2001 and 2003 Maryland Tobacco Surveys” (DHMH, 2004) indicating “smoking rates among middle and high school youth and adults are at some of the lowest levels in more than a decade”. The report showed significant declines in

smoking among middle school students (30.6 percent), high school students (23.5 percent) and all adults (12 percent).

According to DHMH, this report offered the “first evidence of success for its three-year comprehensive tobacco control program”. Enforcement of youth tobacco laws is one of the components of the overall plan.

In addition, there are counter-marketing and grassroots education programs such as the Maryland-Smoking Stops Here movement and the National Coalition for Responsible Retailing’s We Card Program. This program features proficiency refusal training for retailers, a “We Card Pledge”, and other tools such as an age checker calendar to assist retailers in refusing underage purchases.

Although the Federally mandated survey period is the months of May-August of each year (see SYNAR Sample Survey, page 4), the ADAA Tobacco Compliance Unit performs year round compliance inspections. Over the past year the program has implemented new procedures to provide time sensitive feedback to retailers regarding compliance findings. Information on non-compliant retailers determined during non-SYNAR survey periods is also forwarded to the local jurisdiction for sanctioning.

All of these efforts have resulted in the significant decline both in use of tobacco products by adults and minors, as well as the increase in compliance of Maryland retailers in their refusal to sell tobacco products to minors.