

ANNUAL SYNAR REPORT

42 U.S.C. 300x-26

OMB No 0930-0222

FFY 2011

State: NE

Revised January 2011



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

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INTRODUCTION

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

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

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control number for this project is 0930-0222 with an expiration date of 05-31-2013.

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 2010 Compliance Progress) and future plans to ensure compliance with the Synar requirements to reduce youth tobacco access rates (FFY 2011 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) 276-2413 and ask for your respective State Project Officer, or contact your State Project Officer directly by telephone or email using the directory provided in the FY 2011 Uniform Application, Appendix A. If you have questions about fiscal or grants management issues, you may call the Grants Management Officer, Office of Program Services, Division of Grants Management, at (240) 276-1422.

Where and when to submit the Synar report

The Annual Synar Report (ASR) must be received by SAMHSA no later than December 31, 2010. The ASR must be submitted in the **approved OMB report format**. Use of the approved format will avoid delays in the review and approval process. The chief executive officer (or an authorized designee) of the applicant organization must sign page 1 of the ASR certifying that the State has complied with all reporting requirements.

The State must upload one copy of the ASR using the online WebBGAS (Block Grant Application System). In addition, the following items must be uploaded to WebBGAS:

- FFY 2011 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) 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.

Each State SSA Director has been emailed a login ID and password to log onto the Synar section of the WebBGAS site.

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

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

Regular Mail:

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

Overnight Mail:

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

FFY 2011: FUNDING AGREEMENTS/CERTIFICATIONS

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

PUBLIC HEALTH SERVICES ACT AND SYNAR AMMENDMENT

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

SYNAR SURVEY SAMPLING METHODOLOGY

The State certifies that the Synar survey sampling methodology on file with the Center for Substance Abuse Prevention and submitted with the Annual Synar Report for FFY 2011 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 2011 is up-to-date and approved by the Center for Substance Abuse Prevention.

State: Nebraska

Name of Chief Executive Officer or Designee: Scot Adams, Ph.D.

Signature of CEO or Designee:

Title: Director Division of Behavioral Health

Date Signed:

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

SECTION I: FFY 2010 (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

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

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

Yes No

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

Total ban enacted

Banned from location(s) accessible to youth

Locking device or supervision required

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

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

Licensing of tobacco vendors Yes No

Penalties for sales to minors Yes No

2. Describe how the Annual Synar Report (see 45 C.F.R. 96.130(e)) and the State Plan (see 42 U.S.C. 300x-51) were made public within the State prior to submission of the ASR. (Check all that apply.)

Placed on file for public review

Posted on a State agency Web site *(Please provide exact Web address.)*

<http://www.dhhs.ne.gov/hew/sua/synar.htm>

- Notice published in a newspaper or newsletter
- Public hearing
- Announced in a news release, a press conference, or discussed in a media interview
- Distributed for review as part of the SAPT Block Grant application process
- Distributed through the public library system
- Published in an annual register
- Other change(s) *(Please describe.)* Subject of State Advisory Committee on Substance Abuse Services (February 2, 2010 and September 21, 2010) Public Meetings

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 Health and Human Services -Division of Behavioral Health

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

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

Nebraska State Patrol

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):

Nebraska State Patrol and local law enforcement

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

4. 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 and Human Services, Division of Public Health - Tobacco Free Nebraska program

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

Yes No

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

- Are the same
- Have a formal written memorandum of agreement
- Have an informal partnership
- Conduct joint planning activities

- Combine resources
- Have other collaborative arrangement(s) *(Please describe.)* Draft Memo of Agreement
-

5. Please answer the following questions regarding the State’s activities to enforce the youth access to tobacco law(s) in FFY 2010 *(see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130(e)).*

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

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

b. The following items concern penalties imposed for violations of youth access to tobacco laws by LOCAL AND/OR STATE LAW ENFORCEMENT AGENCIES. Please fill in the number requested. If State law does not 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>	2	44	46
Number of <u>finances assessed</u>	UNK	UNK	UNK
Number of <u>permits/licenses suspended</u>	N/A		N/A
Number of <u>permits/licenses revoked</u>	N/A		N/A
Other <i>(Please describe.)</i>	N/A	N/A	N/A

c. Which one of the following best describes the level of enforcement of 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.

d. Did every tobacco outlet in the State receive at least one enforcement compliance check in the last year?

- Yes
- No

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

- Merchant education and/or training

- Incentives for merchants who are in compliance (e.g., 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
- Media use to publicize compliance inspection results
- Community mobilization to increase support for retailer compliance with youth access laws
- Other activities (*Please list.*) _____

Briefly describe all checked activities:

Policy Approaches:

The Tobacco Free Nebraska Program is grounded in policy approaches to address all tobacco control issues. In fact, policy approaches are particularly essential because Nebraska tobacco prevention and treatment efforts are funded at 3.8 million dollars annually (2.8 million from state tobacco master settlement agreement funds through the Health Care Cash Fund and 1 million from the CDC's Office on Smoking and Health). The funding available in Nebraska for tobacco prevention and control falls below the recommended funding of \$21.5 million in the Best Practices for Comprehensive Tobacco Control Program, October 2007 by the CDC. Therefore, policy approaches are identified as the best investment for building long-term and sustainable social norm change. The Tobacco Free Nebraska Program emphasizes policy approaches with local sub grantees and utilizes staff to provide technical assistance to the agency, partners, and sub grantees on state and local tobacco control policy development.

There are a variety of state policies regarding youth access including a state vending machine restriction law. This law was passed in 1994 and prohibits the placement of vending machines in areas accessible to the general public. However vending machines are allowed in the same room where alcohol is dispensed and within sight of the barkeeper (NEB. REV. STAT. 28-1429.02).

The State of Nebraska also has restrictions on sampling to minors. The law states that any individual or licensee who shall give or furnish tobacco products to a minor is guilty of a Class III misdemeanor. (NEB. REV. STAT. 28-1419). Additionally, Nebraska imposes a restriction on coupons or rebate offers for smokeless tobacco products. Manufacturers, wholesalers, retailers, or representatives of these businesses may not distribute coupons for promotional purposes. Nebraska also prohibits the sales of single cigarettes (NEB. REV. STAT. 69-1901 to 69-1904).

Although there is not a state product placement law, several communities in Nebraska have adopted local ordinances that require tobacco products are behind the counter or locked up. These communities include Plattsmouth, Springfield, Papillion, Omaha, Bellevue and LaVista and major corporations have signed agreements with the Nebraska attorney generals office to restrict product placement

in their outlets (7-Eleven, BP Petroleum, Conoco-Phillips, CVS Pharmacy, Exxon Mobile, Kroger, Shell, Walgreens, Walmart, Shell Oil).

A good example of a powerful policy is The Nebraska Clean Indoor Air Act of 2008 which requires indoor workplaces in Nebraska to be smoke-free by June 1, 2009.(NEB. REV. STAT. 71-5717). The purpose of this Act is to protect the public health and welfare by prohibiting smoking in public places and places of employment. The Act eliminates smoking in enclosed indoor workspaces including restaurants, bars, keno establishments, other workplaces (retail/office space, manufacturing, health care facilities, etc.) and indoor public places. Clean indoor air laws have been shown effective as a youth prevention strategy.

Enforcement:

Eight of the nine sub grantees that receive funding from the Tobacco Free Nebraska Program School/Community/Outreach funds conduct retailer compliance checks. The sub grantees of Tobacco Free Nebraska are located predominantly in the more populated counties of Nebraska. Some of the sub grantees who conduct compliance checks on a quarterly basis (Omaha City for one), and others do them less frequently. The compliance checks are one piece of the overall comprehensive tobacco prevention approach in the sub grantee's work plans.

SYNAR compliance checks are conducted in the spring and summer each year, generally April 1 through September 15. The Nebraska State Patrol is the lead agency across most of the state with the City of Omaha police department participating for that city. Omaha compliance checks are conducted as part of the Omaha quarterly compliance checks from funding supplied through Tobacco Free Nebraska. As compliance checks are now more than 10 years running all compliance checks are enforcement efforts.

Merchant Education:

Two of the TFN's School/Community/Outreach sub grantees conduct on-going retailer education. These counties are Lancaster County and Lincoln County. Retailer education efforts in Lincoln county educate retailers on illegal sales of both alcohol and tobacco. Throughout the state various efforts have been underway to model a merchant education training effort similar to that for alcohol, and where possible merchant education and server education includes all age-restricted products.

Community Education and Support:

The majority of coalitions that conduct retailer compliance check utilize media advocacy strategies to inform the public about the results of the compliance checks either via issuing news releases noting the retailers who were found in compliance during the compliance check and/or those who were not. On occasion, a news

conference is held and the tobacco products that were purchased during the compliance check process are displayed. Nebraska also monitors public support regarding reducing illegal sales to minors through the Nebraska Adult Tobacco-Social Climate Survey. In the 2006/2007 survey, nearly 98% of respondents stated that it was very important or somewhat important that communities keep stores from selling tobacco products to teenagers.

Incentives to Merchants:

The list of violators for compliance checks is posted to the Department of Health and Human Services Web site. The Lorillard and Phillip Morris tobacco companies are known to use this list when posted and to penalize those tobacco outlets who have sold to minors during the compliance checks. Penalties are specified in agreements with the tobacco companies and include activities such as: Not refunding manufacturers cents off coupons, Removal of counter displays and other promotional materials. These serve as incentive to all merchants that have signed agreements with the tobacco companies to continue to check ID's, and to educate employees of the legal requirements regarding tobacco sales to minors. The Department of Health and Human Services does not provide the direct incentive but instead utilizes strategies with the partnerships of local tobacco coalitions, local merchant education, training and self regulation as part of a larger comprehensive tobacco prevention system.

- f. 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 5f, 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:

Nebraska law allows for the issuance of a citation to the selling clerk and if the manager is "has knowledge of" the sale. Clerks are always cited and if the clerk is the manager the manager is cited or both the clerk and manager if the officer believes he can substantiate that "... any officer, director or manager having charge or control either separately or jointly with others, of the business of any corporation which violated the provisions of sections 28-1420 to 28-1429, if he have knowledge of the same, shall be subject to the penalties provided in this section ..." (NEB. REV. STAT. 28 - 1425).

Because the dates for compliance checks are from April through early September, we feel any calling trees to be limited. All lists are kept confidential and the cooperating youth and officer agree to times to conduct inspections, but the cooperating youth does not know the location of the intended visits until the date of the visit. If a youth has "knowledge" of a clerk or of a town then the youth is not used and another youth is scheduled. Distance is another factor in the state. Many communities have one inspection and the drive to and from the inspection are over an hour from the patrol officers base location.

- g. Please describe the relationship between the State's Synar program and the Food and Drug Administration-funded enforcement program:**

None, as Nebraska does not participate in FDA inspections at this time.

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 2010 (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130).

- 6. Has the sampling methodology changed from the previous year?** **Yes** **No**

The State is required to have an approved up-to-date description of the Synar sampling methodology on file with CSAP. Please submit a copy of your Synar Survey Sampling Methodology (Appendix B). If the sampling methodology changed from the previous reporting year, these changes must be reflected in the methodology submitted.

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

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

If Yes, attach SSES summary tables 1, 2, 3, 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.

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

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 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 frame coverage study: 2010

b. Percent coverage from the latest frame coverage study: 97.7

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: 2013

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

Yes **No**

The State is required to have an approved up-to-date description of the Synar inspection protocol on file with CSAP. Please submit a copy of your Synar Survey Inspection Protocol (Appendix C). If the inspection protocol changed from the previous year, these changes must be reflected in the protocol submitted.

a. Provide the inspection period: From April 1, 2010 to September 20, 2010
MM/DD/YY MM/DD/YY

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

44

NOTE: If the State uses SSES, please ensure that the number reported in 9b matches that reported in SSES Table 4, or explain any difference.

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

SECTION II: FFY 2011 (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 2011. 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.

During FFY 2010 the Nebraska Department of Health and Human Services will continue to educate decision makers about SYNAR including the importance of a centralized, continuously updatable, tobacco licensing system for Nebraska and to improve the listings from which we draw the tobacco retailers. In the State Substance Abuse Advisory Committee meeting of October 14, 2008, the Committee recommended to the Division Director a study of tobacco laws and determination if licensing could be modeled on that of the Liquor Control Commission. Previous actions on recommendations from the 2006 SYNAR and Prevention reviews conducted by CSAP for a centralized tobacco licensing system in the state have not been acted upon by the Department because of a lack of support at the administrative level. Also the Department has not undertaken actions to change the Nebraska tobacco law due to the lack of political will and budget considerations.

In FFY 2011 the State does not foresee a change in law enforcement activities, however the smoke-free worksite law enacted in 2008 and effective in June 2009, has increased the opportunities for stronger working relationships between law enforcement and local and state public health agencies (NEB. REV. STAT. 71-5717). To date, the implementation of this comprehensive law has gone quite smoothly.

In October 2010, Nebraska had a "CSAP System Review" performed on the Prevention and SYNAR activities. Preliminary reports are favorable. The Division of Behavioral Health and State Patrol are watching the first state efforts at working with the Food and Drug Administration as other states implement the FDA merchant education and compliance check system as authorized under the Family Smoking and Tobacco Control Act (Tobacco Control Act). Nebraska is not in a position to immediately respond to the first solicitation regarding implementation.

3. Describe any challenges the State faces in complying with the Synar regulation. (Check

all that apply.)

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

<input checked="" type="checkbox"/> Other challenges (<i>Please list.</i>) Facilitation of Inspections and Number of Inspections Conducted; FDA coordination

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

Limited Resources For Law Enforcement Of Youth Access Laws:

While the Nebraska State Patrol is a statewide law enforcement agency, given the size of our State, amount of personnel is limited. Currently there are a significant number of officers who deployed with the Army National Guard overseas, which has an impact on work force. SYNAR inspections are carried on through a voluntary overtime basis. Local community coalitions are working with local law enforcement for the enforcement of youth access laws. Tobacco Free Nebraska funds these efforts in (9) nine communities and the Strategic Prevention Framework -State Incentive Grant process conducted by many of the 16 Substance Abuse Prevention and Treatment Block Grant funded communities has indicated a need for tobacco enforcement.

Limited Resources For Activities To Support Enforcement And Compliance With Youth Tobacco Access Laws:

Continued improvements are anticipated as the reorganization of the Department of Health and Human Services evolves. The coordination of the Substance Abuse Prevention and Treatment Block Grant in the Division of Behavioral Health, the Tobacco Free Nebraska funded through the CDC, and the Strategic Prevention Framework and Drug Free Communities activities within Division of Public Health will continue. An informal work group exists to coordinate activities at this time. There is also a draft memorandum of agreement that outlines the activities of the workgroup. The Division of Behavioral Health will work with other sister Division directors and unit administrators to determine if a more formal working relationship is needed or desired. Additional resources for local tobacco and substance abuse community coalitions may become available as processes are streamlined between various Departmental entities.

Limitation On Completeness/Accuracy Of List Of Tobacco Outlets:

The Nebraska list frame is purchased from INFO-USA. The list is continuously updated by INFO-USA. Nebraska uses a list purchased in January of the year in which tobacco checks are conducted. The Division of Behavioral Health also polls each of the 431 municipal clerks and 93 county clerks who are the licensing authority. The January 2010 polling resulted in 419 of 431 municipal clerk responses (96.7%) and 93 county clerk responses (100 %). This response rate indicates there are gaps in coverage of tobacco outlet licensing throughout the state requiring the continued purchase of the INFO-USA list. In the verification study conducted in August and September 2010 it was determined that INFO USA listing is over 95% accurate.

The SYNAR committee lead by the Division of Behavioral Health has not met in a year. This committee includes representatives of Tobacco Free Nebraska, Nebraska State Patrol, Division of Public Health, Attorney Generals tobacco office, and new to the group is the Department of Revenue tax stamp inspectors. The Tax stamp inspectors agreed to join the group after learning of the Divisions of Behavioral Health's' efforts to collect tobacco licensing information from the state's many municipal and county clerks. With the help of the field staff of the Department of Revenue, municipal and county clerks' information has been checked. Additional licensees have been found and clerks notified of the requirements for licensing within their jurisdictions.

Difficulties Recruiting Youth Inspectors:

The recruitment of youth inspectors continues to be a challenge for law enforcement agencies. While there has plenty of willingness for participation in community coalitions, the availability of youth to travel with police officers has not increased. This most likely is attributed to the fact that travel distance and time can be arduous, especially when inspection teams must travel 3-4 hours to conduct one or two inspections. In more urban areas, inspections and youth recruitment suffer from competing school and work activities. Officers are requested to have inspections conducted by youth proportionate by age to the youth in the area. Age distribution is another factor in the recruitment of inspectors. The revised requirements of 40 percent maximum by the three age groups is difficult to accomplish due to lack of youth in more rural areas (either physically or interest).

A requirement added to the State Patrol and Omaha contract for SYNAR checks in 2009 and 2010 includes the goal of about 34 % of inspectors being of age 15, 34 % being age 16 and 34 % age 17. In the contract the goal is stated as “Not more than 40 percent of the checks may be made in any single age group (i.e. no more than 40 percent of checks may be made by 15 year olds; no more than 40 percent of the checks may be made by 16 years olds, etc).” This goal was not achieved, in either year. Neither was the goal of a 50/50 split between genders in any age group achieved. The importance of achieving balance regarding the gender distribution of youth inspectors for future Synar inspections is recognized and is being taken into further consideration by Division staff. To meet this statewide goal, additional training and education of requirement for the State Patrol and Omaha police department may be required to improve accuracy in reflecting the potential sales to minors.

We have identified some additional opportunities to create an awareness of the importance of SYNAR and our need for greater youth involvement by building on existing collaborative partnerships within our six Regional Behavioral Health Authorities. Another strategy would be to present to several of our community

coalitions who have youth advisory boards. It is likely that youth members could serve as potentially resource for recruitment and assist with the search for new youth inspectors. Lastly, a review of current recruitment practices is planned in order to maximize resources, partnerships, efforts, planning and overall system coordination. It is our hope that training resources can only grow from this and strengthen system partners amongst the Prevention of Substance Abuse field.

Geographic, Demographic, And Logistical Considerations In Conducting Inspections:

Distances between communities, especially in western Nebraska, make conducting inspections by only the State Patrol particularly difficult. The 400 plus visits for the SYNAR program are conducted over a four-month period. Officers are on overtime status to conduct these inspections. Only the State Patrol is exploring additional local law enforcement activities through local community coalitions that may help to relieve SYNAR inspections. The State Patrol is also engaged in Responsible Beverage Server Training and has included tobacco purchase within that training because many of the clerks trained are engaged in convenience store employment where sales of both age restricted commodities is common. The Nebraska State Patrol is searching for ways to get communities more involved in Responsible Server Training.

Facilitation of Inspections and Number of Inspections Conducted

The Division of Behavioral Health has changed the number of inspections to be completed toward the target sample size for the population of potential retailers as found using the SSES software (less than 400). A 15% oversample is used as the target sample size. Sizable savings were made in law enforcement manpower - a major investment in this effort. The compliance checks were completed during the period April 1, 2010, to September 20, 2010.

Federal Food and Drug Administration efforts under the Family Smoking and Tobacco Control Act (Tobacco Control Act):

The Nebraska SYNAR workgroup reviewed the initial solicitation for FDA state agreements under the Family Smoking and Tobacco Control Act in February and March 2010 and determined it was unable to participate at this time. Several stringent requirements go beyond available manpower resources to collect and store evidence or data and the additional manpower proposed to be funded by the agreement is politically sensitive. Additionally, the SYNAR committee agreed that a rushed application would not serve the best interest of merchants, the State, nor the public. The committee agreed to monitor the FDA efforts during the first few months of implementation and determine a more appropriate date for Nebraska to join the efforts.



SYNAR Table SSES Program
January 2011

SSES Table 1 (Synar Survey Estimates and Sample Sizes)

CSAP-SYNAR REPORT

State	Nebraska
Federal Fiscal Year (FFY)	2011
Date	01/06/2011 8:47
Data	Jan-11-State-totals-revised.xls
Analysis Option	Stratified SRS with FPC

Estimates

Unweighted Retailer Violation Rate	10.7%
Weighted Retailer Violation Rate	10.7%
Standard Error	1.5%
Is SAMHSA Precision Requirement met?	YES
Right-sided 95% Confidence Interval	[0.0%, 13.1%]
Two-sided 95% Confidence Interval	[7.9%, 13.6%]
Design Effect	1.0
Accuracy Rate (unweighted)	91.1%
Accuracy Rate (weighted)	91.1%
Completion Rate (unweighted)	98.2%

Sample Size for Current Year

Effective Sample Size	339
Target (Minimum) Sample Size	336
Original Sample Size	481
Eligible Sample Size	438
Final Sample Size	430
Overall Sampling Rate	4.9%

SYNAR Table SSES Program

January 2011

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

STATE: Nebraska

FFY: 2011

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											
A-NO	A-NO	890	870	N/A	N/A	45	44	44	3	6.8%	
A-Oma	A-Oma	1,915	1,636	N/A	N/A	96	82	82	6	7.3%	
B	B	1,544	1,405	N/A	N/A	78	71	71	6	8.5%	
c	c	1,414	1,335	N/A	N/A	71	67	65	9	13.8%	
D	D	1,018	918	N/A	N/A	51	46	45	9	20.0%	
E	E	635	575	N/A	N/A	32	29	29	3	10.3%	
Hq	Hq	2,153	1,974	N/A	N/A	108	99	94	10	10.6%	
Total		9,569	8,713			481	438	430	46	10.7%	1.5%
Over the Counter Outlets											
A-NO	A-NO	890	850	N/A	N/A	44	43	43	2	4.7%	
A-Oma	A-Oma	1,915	1,636	N/A	N/A	96	82	82	6	7.3%	
B	B	1,544	1,405	N/A	N/A	78	71	71	6	8.5%	
c	c	1,414	1,314	N/A	N/A	70	66	64	8	12.5%	
D	D	1,018	918	N/A	N/A	51	46	45	9	20.0%	
E	E	635	575	N/A	N/A	32	29	29	3	10.3%	
Hq	Hq	2,153	1,953	N/A	N/A	107	98	93	10	10.8%	
Total		9,569	8,651			478	435	427	44	10.3%	1.4%
Vending Machines											
A-NO	A-NO	0	20	N/A	N/A	1	1	1	1	100.0%	
A-Oma	A-Oma	0	0	N/A	N/A	0	0	0	0	0.0%	
B	B	0	0	N/A	N/A	0	0	0	0	0.0%	
c	c	0	21	N/A	N/A	1	1	1	1	100.0%	
D	D	0	0	N/A	N/A	0	0	0	0	0.0%	
E	E	0	0	N/A	N/A	0	0	0	0	0.0%	
Hq	Hq	0	21	N/A	N/A	1	1	1	0	0.0%	
Total		0	62			3	3	3	2	65.8%	26.9%

SYNAR Table SSES Program
January 2011

SSES Table 3 (Synar Survey Sample Tally Summary)

STATE: Nebraska
FFY: 2011

Disposition Code	Description	Count	Subtotal
EC	Eligible and inspection complete outlet	430	
Total (Eligible Completes)			430
N1	In operation but closed at time of visit	2	
N2	Unsafe to access	2	
N3	Presence of police	0	
N4	Youth inspector knows salesperson	1	
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	1	
N8	Run out of time	2	
N9	Other noncompletion	0	
Total (Eligible Noncompletes)			8
I1	Out of Business	3	
I2	Does not sell tobacco products	32	
I3	Inaccessible by youth	1	
I4	Private club or private residence	1	
I5	Temporary closure	0	
I6	Can't be located	4	
I7	Wholesale only/Carton sale only	1	
I8	Vending machine broken	0	
I9	Duplicate	1	
I10	Other ineligibility	0	
Total (Ineligibles)			43
Grand Total			481

SYNAR Table SSES Program

January 2011

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

STATE: Nebraska

FFY: 2011

Frequency Distribution

Gender	Age	Number of Inspectors	Attempted Buys	Successful Buys
Male	14	0	0	0
	15	6	65	4
	16	13	151	19
	17	7	56	5
	18	0	0	0
	Subtotal		26	272
Female	14	0	0	0
	15	4	84	5
	16	9	46	6
	17	5	28	7
	18	0	0	0
	Subtotal		18	158
Other		0	0	0
Grand Total		44	430	46

Buy Rate in Percent by Age and Gender

Age	Male	Female	Total
14	0.0%	0.0%	0.0%
15	6.2%	6.0%	6.0%
16	12.6%	13.0%	12.7%
17	8.9%	25.0%	14.3%
18	0.0%	0.0%	0.0%
Other			0.0%
Total	10.3%	11.4%	10.7%

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: NE
 FFY: 2011

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
INFO USA	1	A commercial business list from INFO USA. Attempts are made to eliminate business that do not sell tobacco products (see table A below for a list of SIC codes used.)	Continuous update by INFO USA through local directories, SEC business data, local government business data and trade organizations. However, in urban areas updating may be several months behind
Municipal and County Clerks		Tobacco Licenses	Collected January 2010 annual licenses expire Dec 31 of each year. In 2010 96.7 percent of municipal clerks responded and 100 percent of county clerks responded
INFO USA, Inc.,- is used to develop the list frame, Municipal and County clerks retain tobacco license information are used against the INFO USA, Inc., to review possible tobacco licensees rather than to call individual entities to determine if an entity sells tobacco products.			

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

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

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

_____ %

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

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

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

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

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

Unstratified 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.**

Seven strata are the State Patrol Troop Areas. The strata are Troop Area A - Omaha and Non Omaha, Troop Area B - Northern Nebraska, Troop Area C - South Central Nebraska, - Troop Area D - Southwest Nebraska, - Troop Area E - Panhandle of Nebraska, - Troop Area Hq - Southeast Nebraska. The A and HQ troop areas are the most densely settled comprising metropolitan areas of Omaha and Lincoln respectively (urban strata). The use of Patrol Troop Areas provides a convenient method of handling SYNAR investigation as officers are assigned by Patrol Troop area and can work with local youth to conduct compliance checks.

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

The SYNAR Survey Estimation System (SSES 3.2) was used for computing the sample size. The formulae that SSES employed are shown below.

Effective sample size:

$$n_e = \frac{1}{\left(\frac{(s.e.)^2}{P(1-P)} + \frac{1}{N} \right)}$$

Where P is the observed retailer violation rate of the previous year's survey.

N is the total number of outlets in the sampling frame and
s.e. is the desired standard error of the estimate (= 0.0182).

Target sample size:

$$n_t = dn_e \text{ where } d \text{ is the design effect.}$$

d = the observed design effect of the previous year's survey.

Original sample size:

$$n_o = (1 + s) \frac{n_t}{r_1 r_2}$$

where r_1 is the observed accuracy rate of the previous year's survey;

r_2 is the observed completion rate of the previous year's survey; and

s is the safety margin (15 %)

10. Provide the following information about sample size calculations for the current FFY Synar survey.

- a. If the State uses the sample size formulas embedded in the Synar Survey Estimation System (SSES) Sample Size Calculator, please provide the following information:**

Inputs for Effective Sample Size:

RVR: 13.51

Frame Size: 9569

Input for Target Sample Size:

Design Effect: .99

Inputs for Original Sample Size:

Safety Margin: 15

Accuracy (Eligibility) Rate: 90.84

Completion Rate: 88.47

- b. 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.**

--

APPENDIX C: SYNAR SURVEY INSPECTION PROTOCOL

State: NE

FFY: 2011

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 Not permitted
 Permitted under specified circumstances Not specified in protocol

b. Youth inspectors to carry ID?

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

c. Adult inspectors to enter the outlet?

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

d. Youth inspectors to be compensated?

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

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

- Law enforcement agency(ies)
 State or local government agency(ies) other than law enforcement
 Private contractor(s)
 Other

List the agency name(s): Nebraska State Patrol and Omaha Police Dept

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

Officers recruit and select cooperating individuals that appear to represent youth in the area. The officer trains the youth one on one by going over the youth's responsibilities and the protocol for cooperating individuals given below. When the officer is satisfied the youth can complete the assigned task the officer and youth conduct inspections.

All inspectors are certified law enforcement officers who are trained on the compliance check procedures. Each year information goes out to already trained officers with any changes to the procedures. New inspectors are assigned to inspectors with experience in order to "learn by doing". Cooperating Individuals are trained by an officer regarding proper procedures and protocols.

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

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

Procedures are the same as established for alcohol compliance checks See __Guidelines For Using Underage Cooperating Individuals During Compliance Checks __.

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

Procedures are the same as established for alcohol compliance checks See __Guidelines For Using Underage Cooperating Individuals During Compliance Checks __.

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

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

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

Supervision of the minor by a peace officer

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

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

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

APPENDIX D: LIST SAMPLING FRAME COVERAGE STUDY

(LIST FRAME ONLY)

State: NE
FFY: 2011

1. Calendar year of the coverage study: 2010
2. a. Unweighted percent coverage found: 97.7%
b. Weighted percent coverage found: 97.7%
c. Number of outlets found through canvassing: 173
d. Number of outlets matched on the list frame: 169
3. a. Describe how areas were defined. (e.g., census tracts, counties, etc.)

- 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.

A list of Nebraska postal zip codes was the primary sampling unit. A simple random sample of 25 zip codes from all Nebraska zip codes was selected. The 577 zip codes for Nebraska were first listed in zip code order – 68001 to 69367. Using Microsoft Excel RAND a random number was assigned to each zip code. The resulting RAND list was sorted in numeric order, lowest to highest and the lowest 25 zip codes selected as the sample.

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

No strata were created

d. Provide a full description of how clusters were formed.

No 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 8.*) No (*Respond to the following questions.*)

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 11.

If Yes, describe any instructions given to the field observers to ensure the entire area was canvassed, then go to Question 12.

The field surveyor visited the identified first business to determine if it sold tobacco and had a tobacco license. The field surveyor recorded the business name, address, main phone number and business type. They determine if there was a vending machine on the premises. This information was recorded on the Merchant Field List form (Appendix B). Following that check, the surveyor exited the business, turned left and proceeded to each subsequent businesses until a total of 10 businesses were checked. In some cases this meant crossing the street after reaching the edge of the town and returning on the other side of the street. If 10

businesses were still not located, cross streets and parallel streets were systematically checked and if 10 businesses were still not located, a systematic search of all roads in the zip code area was completed.

9. If a full canvassing was not conducted:

- a. **How many predetermined outlets were to be observed in each area?** 10
- b. **What were the starting points for each area?** random
- c. **Were these starting points randomly chosen?** Yes No
- d. **Describe the selection of the starting points.**

Selection of the site for beginning the field survey was a randomly selected business from Nebraska's list of municipal and county tobacco licensees. In the absence of a listed licensee in the zip code area a randomly selected point on a map was the starting point.

- e. **Please describe the canvassing instructions given to the field observers, including predetermined routes.**

The field surveyor visited the identified first business to determine if it sold tobacco and had a tobacco license. The field surveyor recorded the business name, address, main phone number and business type. They determine if there was a vending machine on the premises. This information was recorded on the Merchant Field List form. Following that check, the surveyor exited the business, turned left and proceeded to each subsequent businesses until a total of 10 businesses were checked. In some cases this meant crossing the street after reaching the edge of the town and returning on the other side of the street. If 10 businesses were still not located, cross streets and parallel streets were systematically checked and if 10 businesses were still not located, a systematic search of all roads in the zip code area was completed.

10. Describe the process field observers used to determine if an outlet sold tobacco.

Each retail outlet found and open was visited and a "Merchant Field List" completed that included recording the entity name, address, type of business, primary phone, whether there was a vending machine, and if the entity carried a tobacco license.

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).

When surveying in a zip code area was complete and data about 10 businesses recorded, this list of 10 businesses was compared to the list of businesses for that zip code area provided by Info USA. The objective was to identify a match between the observed businesses and the Info USA business list.

If the initial search of the Info USA business list did not reveal a match with the businesses identified by the surveyor, a search for matching addresses was completed, this was to identify businesses that remained at the same address but had changed their business name. If the address checks failed to reveal a match, telephone numbers were compared. If the match was not completed using these three steps, it was concluded that the business identified by the fieldworker was not on the Info USA business list

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

N/A