

FFY 2024 Annual Synar Report – Nebraska

NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES

Helping People Live Better Lives.

Agenda

- Overview of Synar
 - History
 - Programmatic requirements
 - Timeline
- FFY 2024 Annual Synar Report (CY23)
- Recommendations
- Questions



NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES

Helping People Live Better Lives.

Synar

- Prior to the Synar Amendment going into effect in 1996, compliance with tobacco sales laws was uniformly poor across the U.S
- In July 1992, Congress enacted the Alcohol, Drug Abuse, and Mental Health Administration Reorganization Act (P.L. 102-321), which includes the federal Synar Amendment (section 1926), aimed at decreasing youth access to tobacco.
- This amendment was named for its sponsor, Congressman **Mike Synar** of Oklahoma.
- SAMHSA oversees implementation of the Synar Amendment, which requires states to have laws prohibiting the sale and distribution of tobacco products to minors.

Helping People Live Better Lives.



Programmatic Requirements

- SAMHSA requires that States enact and enforce laws prohibiting the sale and distribution of tobacco products to individuals under the age of **21**.
- The goal of the amendment is to reduce the number of successful illegal purchases by minors to **no more than 20%** of attempted buys by minors in each State.
- Synar is a critical component of the Federal Substance Use Prevention Treatment Recovery Services Block Grant, states not in compliance can risk losing up to 10% of their grant funding.
- States measure their progress in reducing youth access to tobacco via annual, random, unannounced inspections (also known as the Synar survey).
- These inspections must include at least 80% of tobacco outlets in the state and sample both over-the-counter and vending machine locations accessible to youth.
- The sample size must be large enough to meet precision requirements and the completion rate must be at least 90%.
- SAMHSA, through its Center for Substance Abuse Prevention (CSAP), Division of State Programs, annually reviews each state's Synar survey and results, and provides technical assistance to help states comply with the requirements.

Programmatic Requirements

- Law enforcement follows a standardized protocol
- DBH contracts with the Nebraska State Patrol and Omaha PD via Region 6
- Underage male and female youth inspectors attempt buys
- Conduct annual, unannounced inspections in a way that provides a valid probability sample of tobacco sales outlets accessible to minors
- Any entity that sells tobacco and/or vapor products may be visited
 - This includes sellers of smokeless tobacco
- Successful buys are issued citations by law enforcement and impact the Retailer Violation Rate.

Helping People Live Better Lives.

TOBACCO COMPLIANCE CHECK REPORTING FORM (One form is required for each business on the list regardless of the status of the check.)

Do not substitute if provided a list

THIS FORM MUST BE FILLED IN COMPLETELY AND LEGIBLY

Section 1 Visit Date

	1st Visit	2nd Visit	3rd Visit
Date/Time visits	8/10/2023 0927 am		
Incomplete reason From Section 3			

Name of Business: [REDACTED] B-9
Address of Business: [REDACTED]
City NE Zip: [REDACTED]

Section 2 Check Information: (Circle Response)

Outlet - Type of Sales	OTC - Over the counter (Clerk sales)	VM - Vending Machine
Inspection Completion Status	EC - Check Complete	IN - Incomplete Check
Compliance Status	EC1 - Violation	EC0 - In Compliance

Section 4 Violations

Citation Issued:	YES	NO
Case #:	[REDACTED]	
Citation Issued to: (Circle at least one)	Clerk	Owner Manager

Section 5 Cooperating Individual (CI) Information:

CI Number for completed or final check: #286

Age (circle): 19 20 (proportionality)

Gender (circle): M (Male) F (Female)

ID Checked (circle): Yes No

Type of Retail Outlet (Circle):
B1 Gas Station/Convenience Store
B2 Tobacco Store/Liquor Store
B3 Restaurant
B4 Hotel
B5 Grocery Store
B6 Drug Store
B7 Other

Type of Product (Circle):
P1 Cigarettes
P2 Small Cigar/Cigarillos
P3 Smokeless Tobacco
P4 E-Cigarette/Vape Product
P5 Other:

Section 3 Incomplete Reason: (Circle)

- N1 In operation but closed at visit time
N2 Unsafe to access by youth inspector
N3 Police is present in the outlet
N4 Youth inspector knows the salesperson
N5 Moved to new location; not inspected
N6 Drive through only/Youth has no DL
N7 Tobacco out of stock
N8 Run out of time for inspections
N9 Other non-completion reason (explain):
- I1 Out of business
I2 Does not sell tobacco products
I3 Inaccessible by youth
I4 Private club/residence
I5 Closed for a period of time (seasonal, reno)
I6 Cannot locate
I7 Wholesale only/Carton sale only
I8 Vending machine broken
I9 Duplicate
I10 Other ineligibility reason (explain):

Section 6 Officer Information

Officer Badge No: [REDACTED] Area: B
Signature: [REDACTED]

Remarks:

Synar Timeline

- DBH's process takes an entire year in length and runs by the calendar year of January to December
- Activities occur throughout the year, and many of them coincide with others
- Initial Letter and Lists are mailed to Clerks the first week of **January**
- Compile individual responses from county/municipal clerks in **February** to create the **Licensee List** and follow-up with lagging respondents
- Randomly select tobacco vendors for inspection in a way that provide a valid probability sample of tobacco sales outlets accessible to minors and negotiate contracts w/OPD and NSP in **March**
- Conduct annual, unannounced inspections from **April to September**
- Enter data from paper Tobacco Compliance Check Reporting Forms into Excel in **October**
- Data are analyzed using SAMHSA software resulting in **November**. This analysis provides the RVR!
- In **November and December**, the official report is compiled and posted for public comment
- Submit an annual report detailing State activities to enforce its law by **December 31st**



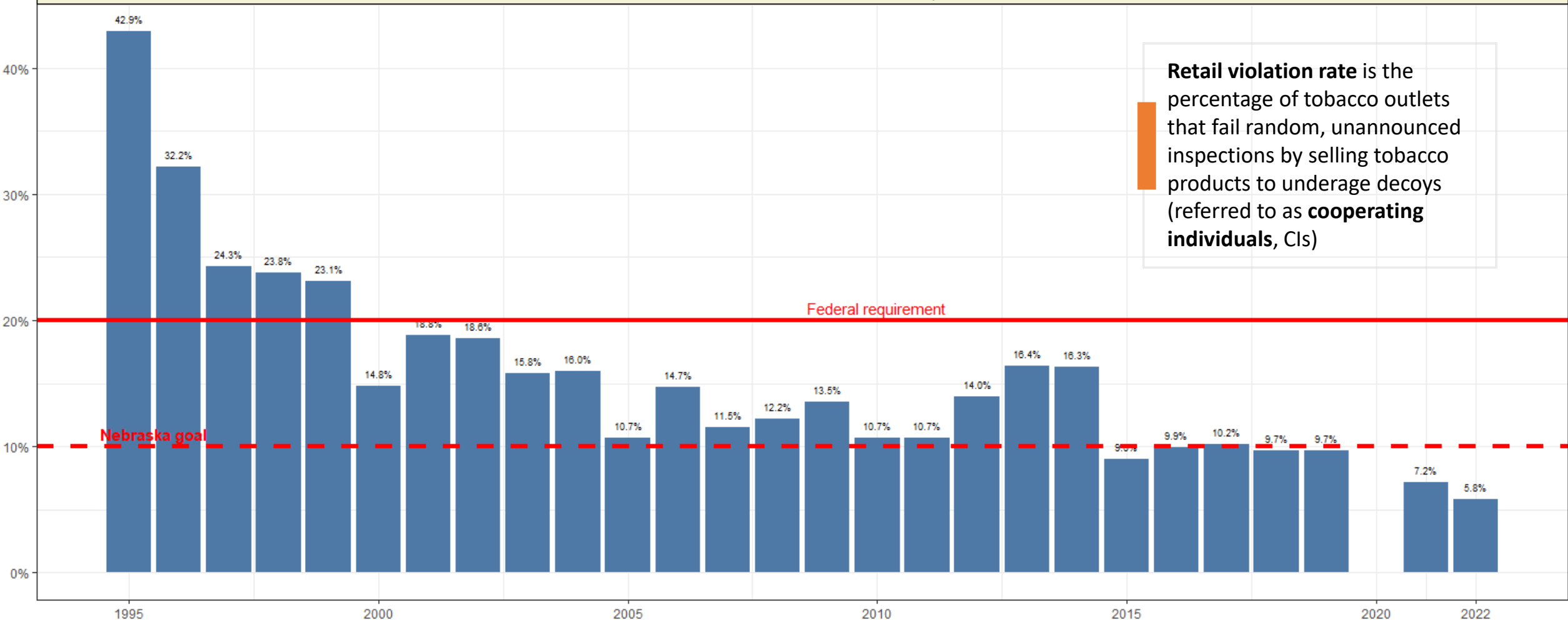
Retail Violation Rate

1997 to 2018



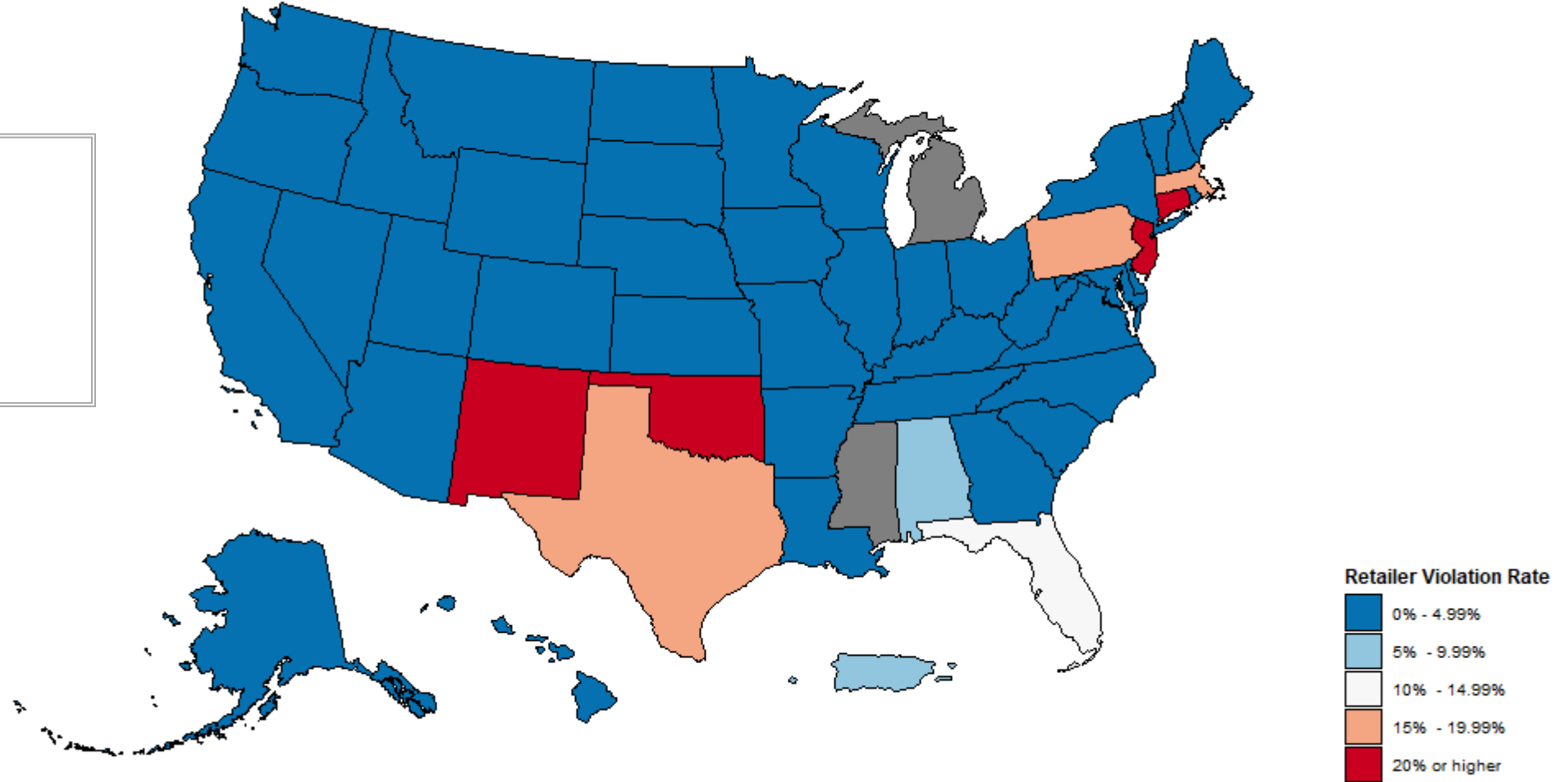
The Synar program has been successful in reducing **youth access to tobacco** through retail sources

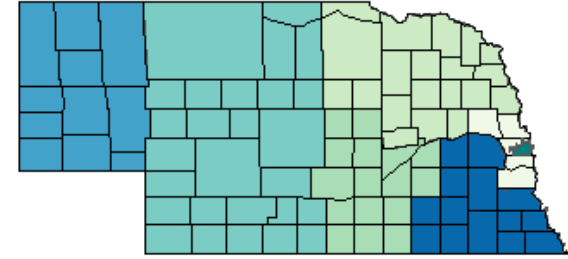
Nebraska's Statewide Retailer Violation Rate, 1995 - 2022



State Retailer Violation Rates, FFY23

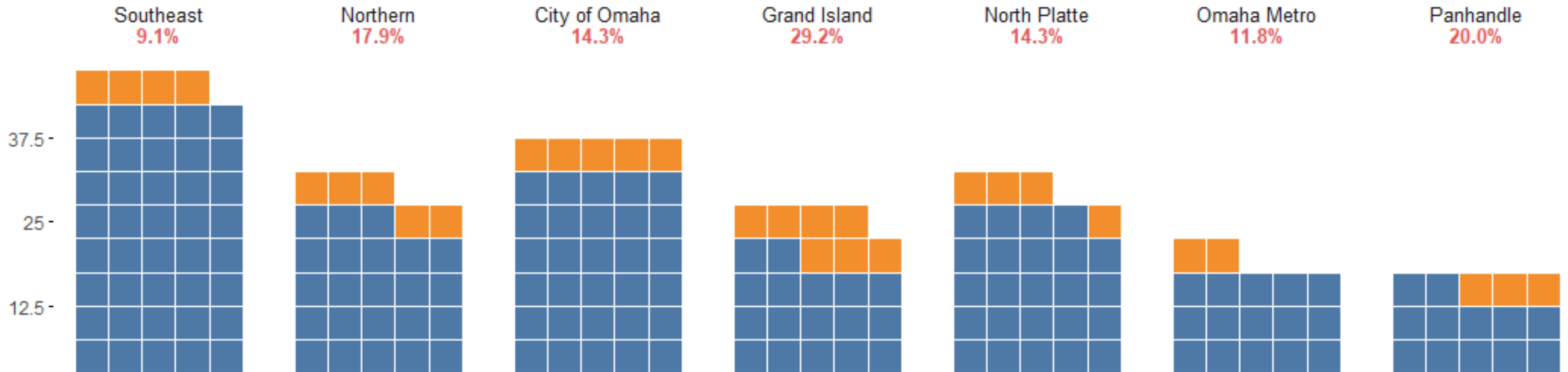
States with an RVR
above 20% risk
penalties to Federal
Block Grant





Retail Violation Rate across Nebraska State Troop Boundaries, 2023

Number of **failed** and **passed** compliance checks



**Results from the
2024 Annual
Synar Report**

**Inspections
Completed
191**

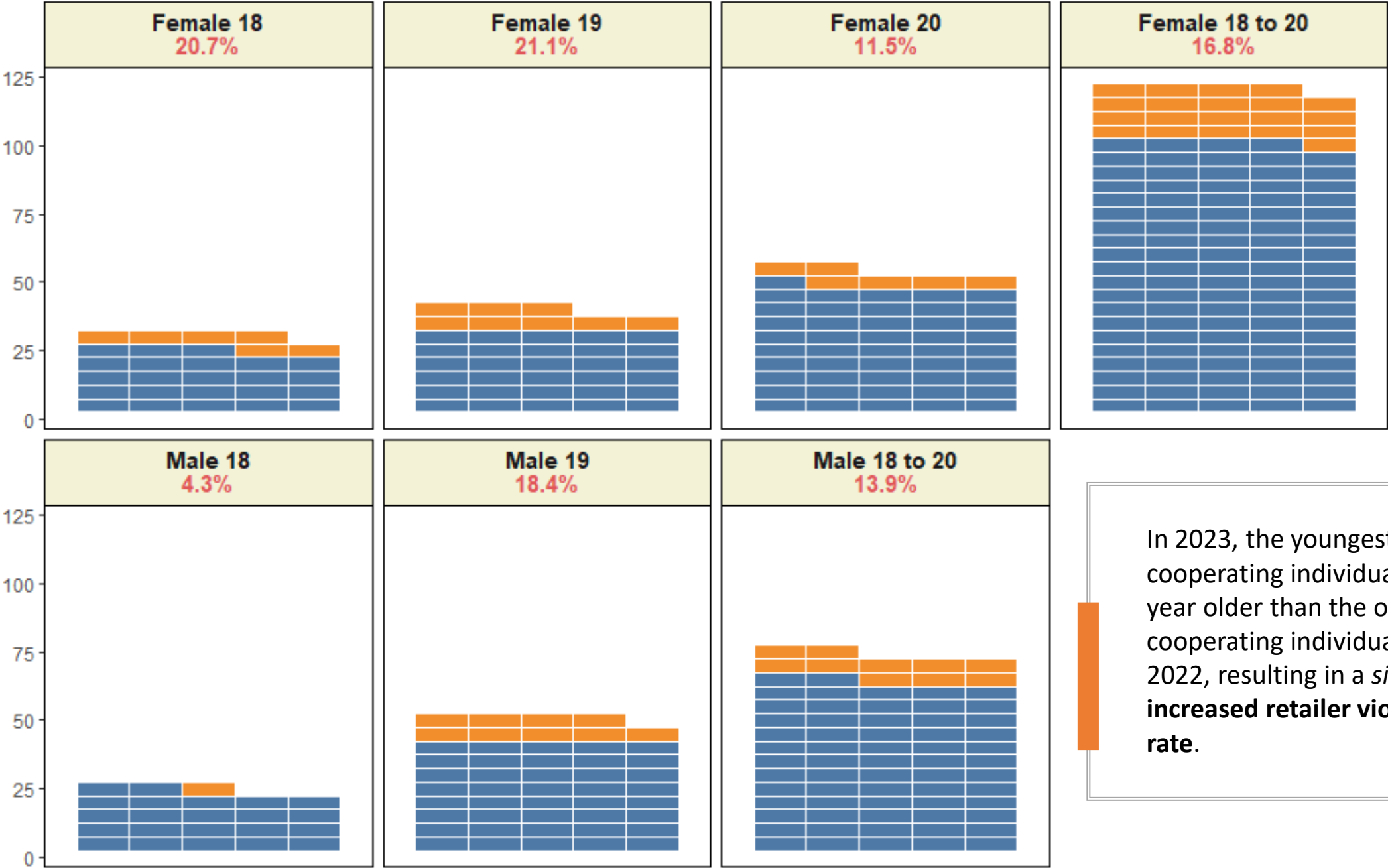
**Completion Rate
99.5%
out of 192
eligibles**

**Violations
30
i.e., successful
buy attempts**

**Violation Rate
15.7%
weighted retailer
violation rate**

Retail Violation Rate by Gender and Age, 2023

Number of failed and passed compliance checks



In 2023, the youngest cooperating individuals were a year older than the oldest cooperating individuals from 2022, resulting in a *significantly increased* retailer violation rate.

SOME PRODUCTS THAT YOU SMOKE OR INHALE:

CIGARETTES

CIGARS

VAPING DEVICES

HOOKAHS

SMOKELESS PRODUCTS:

CHEWING TOBACCO

SNUFF

Ground tobacco that can be sniffed or put between your cheek and gums

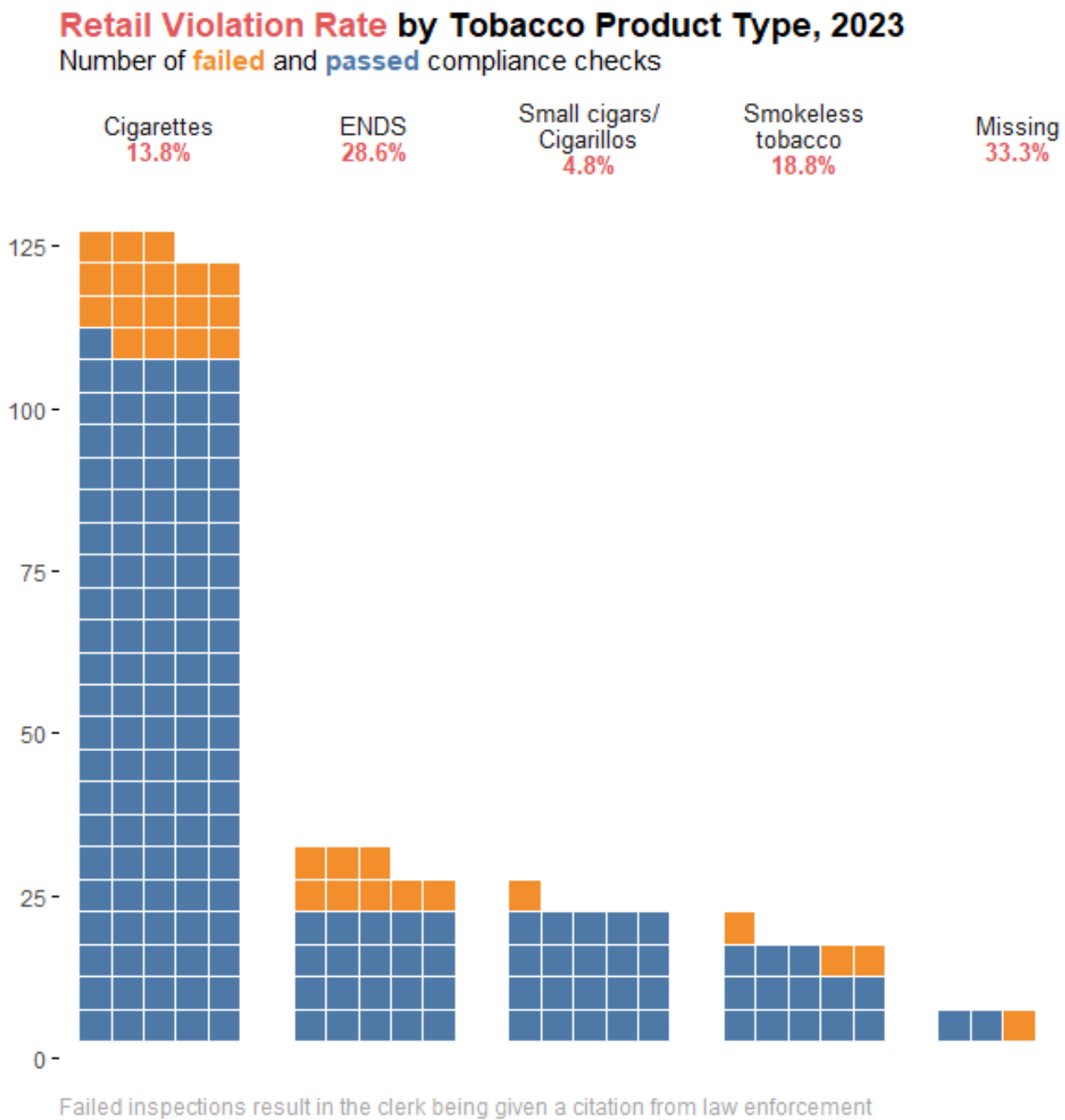
DIP

Wet snuff that is chewed

SNUS

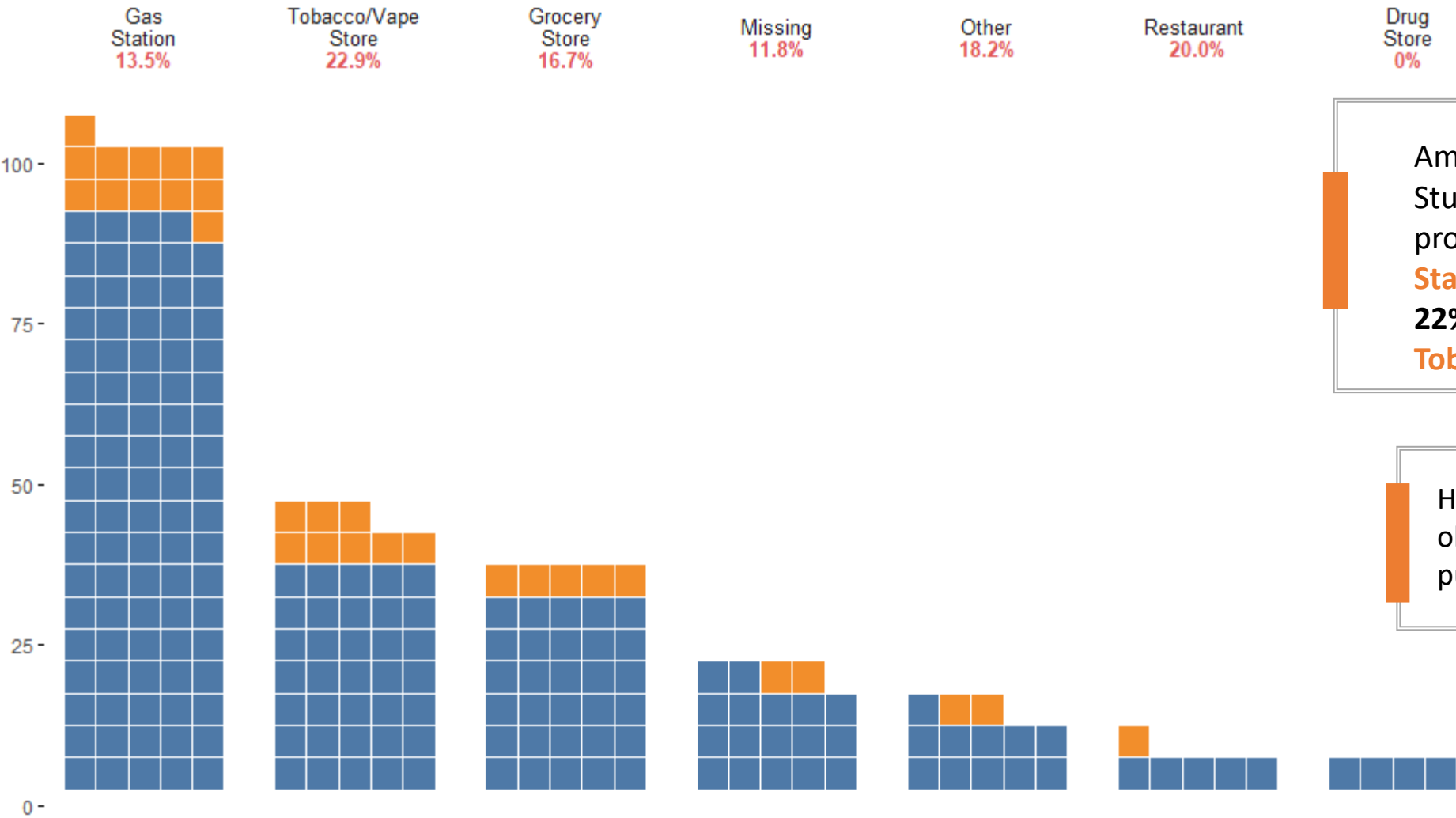
Small pouch of wet snuff

14 percent of Nebraska youth used an **e-cigarette** in the *past month* compared to **3 percent** who used a **cigarette** – 2022 Nebraska Youth Tobacco Survey



Retail Violation Rate by Retail Outlet Type, 2023

Number of failed and passed compliance checks



Failed inspections result in the clerk being given a citation from law enforcement

Among Nebraska High School Students that purchased tobacco products, **24%** got them from **Gas Station/Convenience Store** and **22%** got them from a **Tobacco/Vape store**

However, students more likely to obtain tobacco from alternative to purchasing – Nebraska 2022 YTS

Recommendations

- **Law and Policy**
 - Implement laws that punish licensees for sales to underage persons – not just fining clerks violations.
 - Continue to raise taxes on tobacco purchases
- **Environmental Enforcement**
 - Conduct your own compliance checks and environmental scans – particularly among the tobacco/vape shops.
 - Add 18-, 19-, and 20-year olds to your compliance check recruitment pool. But don't forget about younger CIs.
- **Media**
 - Publish failed compliance checks in local media outlets and withhold praise for compliant outlets
 - Effective and engaging signage on tobacco sales laws at tobacco outlets
 - Media efforts that focus on *BOTH* commercial and social access.

NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES

Helping People Live Better Lives.

Data and Reports

Federal Synar Program

<https://www.samhsa.gov/synar>

FFY 2024 Annual Synar Report - Nebraska

<https://dhhs.ne.gov/Behavioral%20Health%20Documents/FFY%202024%20Annual%20Synar%20Report.pdf>

Youth Tobacco Survey

<https://bosr.unl.edu/yts-state-level-data>

Youth Risk Behavior Survey

<https://nccd.cdc.gov/youthonline/App/Results.aspx?LID=NE>

Nebraska Risk and Protective Factors Student Survey

<https://bosr.unl.edu/current-nrpfss-county-level-data>

<https://bosr.unl.edu/current-nrpfss-health-department-level-data>





Questions?

Comments??

Recommendations???

Zack Hicks

Behavioral Health Epidemiologist, Division of Behavioral Health

NE Department of Health and Human Services

Zack.Hicks@nebraska.gov

dhhs.ne.gov



@NEDHHS



NebraskaDHHS



@NEDHHS

NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES

Helping People Live Better Lives.