

# **ANNUAL SYNAR REPORT**

**42 U.S.C. 300x-26**

**OMB Nº 0930-0222**

**Federal Fiscal Year (FFY) 2025**

**State: ARIZONA**

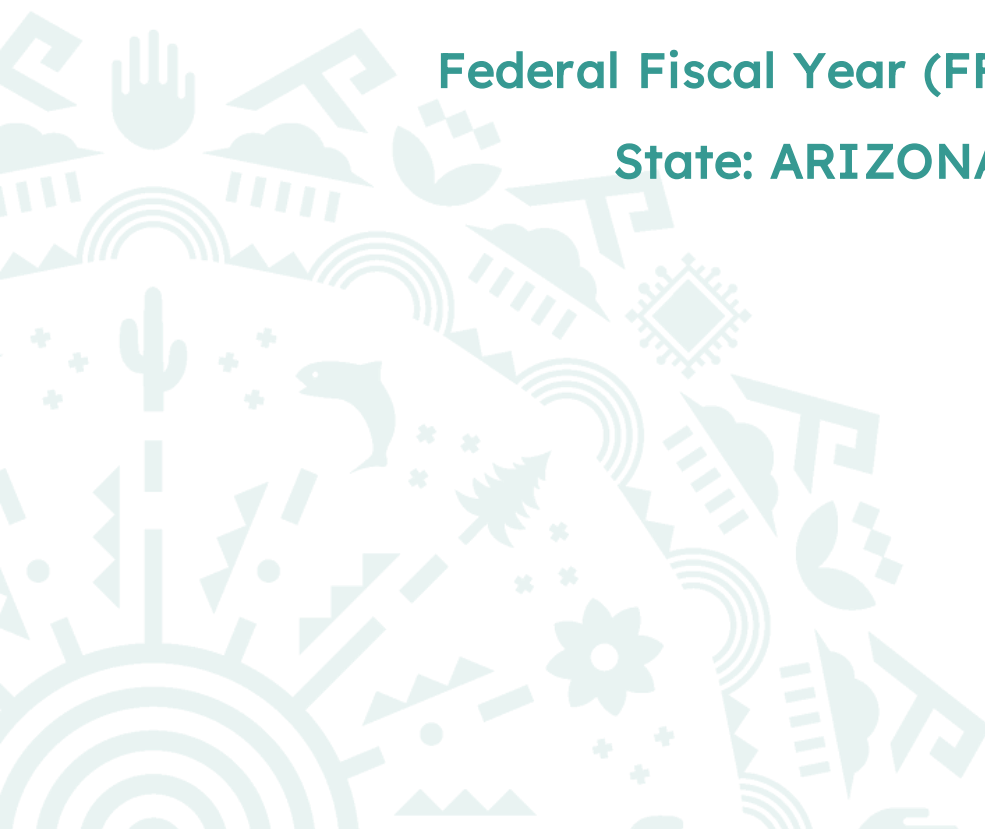


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OMB No. 0930-0222

Expiration Date: 06/30/2025

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## Introduction

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

### How the Synar report helps the Center for Substance Abuse Prevention

In accordance with the tobacco regulations, states are required to provide detailed information on progress made in enforcing youth and young adult tobacco access laws (FFY 2024 Compliance Progress) and future plans to ensure compliance with the Synar requirements to reduce youth and young adult tobacco access rates (FFY 2025 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 states<sup>1</sup> by supporting Synar activities and providing technical assistance helpful in determining the type of enforcement measures and control strategies that are most effective. This information is helpful to CSAP in improving technical assistance resources and expertise on enforcement efforts and tobacco control program support activities, including state Synar program support services, through an enhanced technical assistance program involving conferences and workshops, development of training materials and guidance documents, and onsite technical assistance consultation.

### How the Synar report can help states

The information gathered for the Synar report can help states describe and analyze substate needs for program enhancements. These data can also be used to report to the state legislature and other state and local organizations on progress made to date in enforcing youth and young adult tobacco access laws when aggregated statistical data from state Synar reports can demonstrate to the Secretary the national progress in reducing youth and young adult tobacco access problems. This information will also provide Congress with a better understanding of state progress in implementing Synar, including state difficulties and successes in enforcing retailer compliance with youth and young adult tobacco access laws.

### Getting assistance in completing the Synar report

If you have questions about programmatic issues, you may call CSAP's Division of Primary Prevention at (240) 276-2550 and ask for your respective State Project Officer, or contact your State Project Officer

directly by telephone or email. If you have questions about fiscal or grants management issues, you may call your Grants Management Specialist in the Office of Financial Resources, Division of Grants Management, at (240) 276-1422.

#### Where and when to submit the Synar report

The ASR must be received by SAMHSA no later than December 31, 2024 and must be submitted in the format specified by these instructions. Use of the approved format will avoid delays in the review and approval process. The chief executive officer (or an authorized designee) of the applicant organization must sign page one of the ASR certifying that the state has complied with all reporting requirements.

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

**FFY 2025 Synar Survey Results:** States that use the Synar Survey Estimation System (SSES) must upload one copy of SSES Tables 1–8 (in Excel) to WebBGAS. Please note that, in the FFY 2025 ASR, SSES will generate Tables 6, 7, and 8, which are based on the optional microdata on product type, retail outlet type, and whether identification was requested. If your state does not submit these optional data, Tables 6, 7, and 8 will be blank. Tables 6, 7, and 8 are generated for the convenience of the state, and states are not required to submit completed versions of Tables 6, 7, or 8. States that do not use SSES must upload one copy of ASR Forms 1, 4, and 5, and Forms 2 and 3, if applicable, (in Excel), as well as a database with the raw inspection data to WebBGAS.

**Synar Inspection Form:** States must upload one blank copy of the inspection form used to record the result of each Synar inspection.


**Synar Inspection Protocol:** States must upload a copy of the protocol used to train inspection teams on conducting and reporting the results of the Synar inspections. This document should be different than the Appendix C attached to the Annual Synar Report.

A scanned copy of the signed Funding Agreements/Certifications

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

## FFY 2025: Funding Agreements/Certifications

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

PUBLIC HEALTH SERVICES ACT AND SYNAR AMENDMENT	
42 U.S.C. 300x-26 requires each state to submit an annual report of its progress in meeting the requirements of the Synar Amendment and its implementing regulation (45 C.F.R. 96.130) to the Secretary of the Department of Health and Human Services. By signing below, the chief executive officer (or an authorized designee) of the applicant organization certifies that the state has complied with these reporting requirements and the certifications as set forth below.	
SYNAR SURVEY SAMPLING METHODOLOGY	
The state certifies that the Synar survey sampling methodology on file with the Center for Substance Abuse Prevention and submitted with the Annual Synar Report for FFY 2025 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 2025 is up-to-date and approved by the Center for Substance Abuse Prevention.	
<b>State: Arizona</b>	
<b>Name of Chief Executive Officer or Designee: Alisa Randall</b>	
<b>Signature of CEO or Designee:</b> 	
<b>Title: Assistant Deputy Director of Clinical Operations</b>	<b>Date Signed: 12/30/2024</b>
<b>If signed by a designee, a copy of the designation must be attached.</b>	

## Section I: FFY 2024 (Compliance Progress)

### Youth And Young Adult Access Laws, Activities, And Enforcement

42 U.S.C. 300x-26 requires the states to report information regarding the sale/distribution of tobacco products to individuals under age 21.

1. Please indicate any changes or additions to the state tobacco statute(s) relating to youth and young adult access since the last reporting year. If any changes were made to the state law(s) since the last reporting year, please upload a copy of the state law to WebBGAS. (see 42 U.S.C. 300x-26).

- a. Has there been a change in the minimum sale age for tobacco products? No

\*Note that at least five cities in Arizona have raised the age of sale to 21.

Have there been any changes in state law that impact the state's protocol for conducting Synar inspections? No

\*Note that at least five cities in Arizona have raised the age of sale to 21.

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

Licensing of tobacco vendors No

Penalties for sales to minors No

Vending machines No

Added product

Categories to youth and young adult access law No

\*Note that three cities in Arizona, Tempe, Tucson, and Flagstaff, currently have tobacco retail licensing ordinances.

2. Describe how the Annual Synar Report (see 45 C.F.R. 96.130I) was made public within the state prior to submission of the ASR. (Check all that apply.)

Placed on file for public review: Yes

Posted on a state agency Web site (Please provide exact Web address and the date when the FFY 2025 ASR was posted to this Web address.)

Web address: <https://www.azahcccs.gov/AHCCCS/PublicNotices/>

Date published: 12/18/24

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:

- b. Arizona Health Care Cost Containment System (AHCCCS)

- c. Has this changed since last year's Annual Synar Report? No

- d. The state agency(ies) responsible for conducting random, unannounced Synar inspections:  
Arizona Department of Health Services/ Bureau of Chronic Disease and Health Promotion  
and Arizona Attorney General's Office

- e. Has this changed since last year's Annual Synar Report? No

- f. The state agency(ies) responsible for enforcing youth and young adult tobacco access law(s): Arizona Attorney General's Office

- g. Has this changed since last year's Annual Synar Report? No
4. Identify the following agencies and describe their relationship with the agency responsible for the oversight of the Synar requirements.
- 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).  
Arizona Department of Health Services (ADHS)
  - Has the responsible agency changed since last year's Annual Synar Report? No
  - Describe the coordination and collaboration that occur between the agency responsible for tobacco prevention and the agency responsible for oversight of the Synar requirements.  
The two agencies:
    - Have a formal written memorandum of agreement
    - AHCCCS has an Interagency Services Agreement (ISA) with Arizona Department of Health Services / Bureau of Chronic Disease and Health Promotion, and a Memorandum of Understanding (MOU) with the Arizona Attorney General's Office.
    - Conduct joint planning activities
    - Combine resources
    - Have other collaborative arrangement(s) (Please describe.)
  - Does a state agency contract with the Food and Drug Administration's Center for Tobacco Products (FDA/CTP) to enforce the youth and young adult access and advertising restrictions in the Family Smoking Prevention and Tobacco Control Act?: Yes
  - If yes, identify the state agency responsible for enforcing the youth and young adult access and advertising restrictions in the Family Smoking Prevention and Tobacco Control Act (the agency that is under contract to the Food and Drug Administration's Center for Tobacco Products (FDA/CTP)): Arizona Department of Health Services
  - Has the responsible agency changed since last year's Annual Synar Report? No
  - Describe the coordination and collaboration that occur between the agency contracted with the FDA to enforce federal youth and young adult tobacco access laws and the agency responsible for oversight of the Synar requirements. The two agencies:
    - Have a formal written memorandum of agreement
    - Conduct joint planning activities
    - Combine resources
    - Have other collaborative arrangement(s) (Please describe.): AHCCCS has an Interagency Service Agreement with Arizona Department of Health Services
  - Does the state use data from the FDA enforcement inspections for Synar survey reporting?: Yes
5. Please answer the following questions regarding the state's activities to enforce the state's youth and young adult access to tobacco law(s) in FFY 2024 (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130I).

- a. Which one of the following describes the enforcement of state youth and young adult access to tobacco laws carried out in your state?: Enforcement is conducted by both local and state agencies.
- b. The following items concern penalties imposed for all violations of state youth and young adult access to tobacco laws by LOCAL AND/OR STATE LAW ENFORCEMENT AGENCIES (this does not include enforcement of local laws or federal youth and young adult tobacco access laws). Please fill in the number requested. If state law does not allow for an item, please mark "NA" (not applicable). If a response for an item is unknown, please mark "UNK." The chart must be filled in completely.

PENALTY	OWNERS	CLERKS	TOTAL
Number of citations issued	159	159	318
Number of <u>fin</u> es assessed	16	19	35
Number of permits/licenses suspended	NA		NA
Number of permits/licenses revoked	NA		NA
Other (Please describe.)			
Resolved through Diversion	25	66	91
Warrant Issued	NA	1	1
Pending (failure to appear, motion to continue, not yet appeared, or other)	70	54	124
Dismissed on motion of prosecutor	48	19	67

- c. Are citations or warnings issued to retailers or clerks who sell tobacco to minors for inspections that are part of the Synar survey?

Yes. All Synar inspections were conducted using Food and Drug Administration (FDA) inspections protocols. As part of ongoing tobacco enforcement activities, some Synar survey inspections were conducted jointly with AGO inspection teams, and some were conducted by AGO-only teams. These joint and AGO only inspections include citations to clerks and businesses at the time of inspection. However, ongoing joint tobacco inspections have resulted in consistent Retailer Violation Rates (RVR) between joint inspections with citations issued, Food and Drug Administration-only inspections with no state citations issued, and AGO-only inspections with state citations issued, indicating that any bias to results from citing at the time of inspection versus not citing at the time of inspection is



minimal.

- d. Which one of the following best describes the level of enforcement of state youth and young adult access to tobacco laws carried out in your state?

Enforcement is conducted at a combination of outlets randomly selected for the Synar survey and outlets not randomly selected for the Synar survey.

- e. Did every tobacco outlet in the state receive at least one compliance check that included enforcement of the state youth and young adult tobacco access law(s) in the last year? No
- f. What additional activities are conducted in your state to support enforcement and compliance with state youth and young adult tobacco access law(s)?
- Merchant education and/or training
    - State enforcement can be combined with educational opportunities, including the state diversion tobacco education program called the Arizona Retail Tobacco Training (ARTT). The AGO, ADHS, and county health partners developed the ARTT curriculum and the AGO continues to update the program to reflect changing tobacco laws and available health data. AGO works closely with all 15 Arizona counties to train ARTT instructors, educate courts and prosecutors about the availability of ARTT, and provide ongoing technical assistance to all partners as necessary. Maricopa County, the largest county in Arizona by population, began offering the ARTT program in April of 2013. Class attendance has gone from one or two defendants per class with classes held every other month to completely full classes with up to 30 attendees per class and two classes per month. ARTT is designed to serve both as a diversion option for clerks and businesses who fail inspections and as a free training resource for all Arizona tobacco retailers. In Maricopa County, approximately one-third of attendees at an average class are there voluntarily while two thirds are there to resolve a citation. County health partners in several counties have provided classes to larger groups of employees from one store or chain at the request of a local business. Several smaller, local chains have indicated to trainers that they will send all of their new employees to ARTT as part of their new employee training. In approximately May of 2020, Maricopa County's health department declined to continue providing the ARTT class. The Maricopa County Attorney's Office (MCAO), the prosecuting agency for the majority of youth tobacco citations, is highly supportive of the ARTT program. MCAO entered into an MOU with ADHS to provide ARTT through a contractor. The contractor receives specialized training from AGO and AGO tobacco staff routinely participate in co-teaching the Maricopa County ARTT classes. Following the coronavirus disease 2019 (COVID-19) pandemic, county partners, including the Maricopa County contractor, have been giving ARTT presentation virtually via Zoom or similar platforms. All classes are presented live to provide for direct engagement and immediate Q&A. In May of 2024, the city of Tempe implemented a tobacco retail license. This license included a requirement that every tobacco retailer must present proof of attendance and participation in an

ARTT class to receive their tobacco retail license. AGO and the Maricopa County contractor intend to evaluate the impact of the proactive education component on retail compliance and youth tobacco access in Tempe.

- 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 and young adult access laws)
  - All inspections that are conducted in Arizona are enforcement inspections. However, retailers who pass inspection receive a letter congratulating them for their efforts in keeping tobacco out of the hands of youth. Additionally, all state inspection results, and all public FDA inspection results are available to the public, including on Arizona's public-facing database website. Tobacco inspection results are available on the public page of the Tobacco Enforcement System (TES), available at <https://mapping.countertools.org/aztes>.
- Community education regarding youth and young adult access laws
  - Tobacco inspection results are available on the public page of the Tobacco Enforcement System (TES), available at <https://mapping.countertools.org/aztes>. This webpage is shared with law enforcement, schools, parents, public health partners and others. Arizona Department of Health Services has implemented digital and print media efforts to promote the statewide youth coalition efforts, Arizona Retail Tobacco Training, and the youth tobacco inspection program. See <https://www.azdhs.gov/standaz/>. AGO now offers a class on vaping to both youth and adults as part of their education outreach program. AGO and FDA also provide education about youth tobacco laws during recruitment presentations for potential youth tobacco inspectors. Arizona Department of Health Services has a contract with a youth coalition technical assistance partner, the American Lung Association, which works with, Students Taking a New Direction (STANDAZ), Arizona's anti-tobacco youth coalitions, to assist in the state's program goals of making tobacco and electronic vapor products less desirable, acceptable, and accessible to their peers. Some tasks and activities for this contract are directly related to recruitment for the youth tobacco inspection programs and building coalition capacity to educate communities on access laws and related ordinances.
- Media use to publicize compliance inspection results
  - See response above under community education.
- Community mobilization to increase support for retailer compliance with youth and young adult access laws
  - Youth coalitions in every county are working to establish local policies that restrict tobacco sales to youth, including engaging in community outreach and education. Anti-tobacco youth coalitions throughout the state representing urban, rural, and tribal communities have continued coalition efforts to address youth and young adult tobacco and electronic vapor product use. Coalitions' local efforts include conducting peer education, community awareness campaigns,

and pursuing policy action plans to address: 1. Reducing youth and young adult access to tobacco and electronic vapor products and 2. Reducing exposure to secondhand smoke. Following a year of rebuilding for many coalitions prioritizing youth recruitment and engagement, coalitions have continued to establish strong foundations with increased youth engagement and participation. Coalitions have seen continued successes contributing to passing smoke-free park ordinances and spreading awareness and educating communities regarding raising the legal age to purchase tobacco products to 21 in municipalities, issues related to vaping in schools, and the impact of flavored tobacco products on youth and marginalized communities. More specifically, coalitions have collaborated with parks and recreation programs within their county to develop and place park signage for smoke-free areas, participate in cigarette butt cleanups for data collection to advance efforts of smoke free public places, and two county coalitions have conducted corrective statement audits at their local tobacco retailer establishments to ensure retailers were in compliance displaying signage.

- Other activities

- Assurances of Voluntary Compliance Monitoring, National Association of Attorneys General Participation, Attorney General's Office/Arizona Department of Health Service Work Group In conjunction with many other states, Arizona has signed 13 Assurances of Voluntary Compliance with major tobacco retailers. While each Assurance of Voluntary Compliance is unique, each agreement contains certain restrictions in the retail environment and requirements for training and other practices that are designed to prevent the appeal and sales of tobacco products to minors. The Attorney General's Office, Arizona Department of Health Services, and county partners collaborated on several efforts in FY2024 that identified potential violations of Assurances of Voluntary Compliance that were subsequently addressed by partner businesses. Some of these included identifying tobacco lookalike products available online, including cigarette shaped lipsticks in cigarette pack styled packaging featuring images of stars such as Lana Del Rey and Taylor Swift, and reviewing potential tobacco in-store ads for AVC compliance to prevent noncompliant ads from reaching stores. The success of these interactions encourages county partners to increase compliance monitoring, ultimately helping to keep tobacco enforcement at the "top of mind" for partner retailers and improving compliance with youth access laws. The Attorney General's Office participates in several national working groups through the National Association of Attorneys General that focus on youth access to tobacco products and tobacco advertising that appeals to or targets youth. Because of this participation, Arizona is often at the forefront of identifying new concerns and developing solutions with other states, tobacco retailers and manufacturers.

## 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 2024 (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130).

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

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

- a. If yes, describe how and when this change was communicated to SAMHSA: N/A
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?
  - b. Yes (Please See SSES Excel Tables Uploaded).
  - c. If stratification was used, did any strata in the sample contain only one outlet or cluster this year? N/A
  - d. Was a cluster sample design used? No
  - e. Were any certainty primary sampling units selected this year? No
8. Did the state's Synar survey use a list frame?: No
9. Has the Synar survey inspection protocol changed from the previous year? No

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

Provide the inspection period: From 10/01/2023 to 09/29/2024

Provide the number of youth and young adult inspectors used in the current inspection year: Forty Three (43)

## SECTION II: FFY 2025 (Intended Use)

Public Law 42 U.S.C. 300x-26 of the Public Health Service Act and 45 C.F.R. 96.130 I (4, 5) require that the states provide information on future plans to ensure compliance with the Synar requirements to reduce youth and young adult tobacco access.

10. In the upcoming year, does the state anticipate any changes in:

Synar sampling methodology    No

Synar inspection protocol        Yes

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.

11. Please describe the state's plans to maintain and/or reduce the target rate for Synar inspections to be completed in FFY 2025. Include a brief description of plans for law enforcement efforts to enforce youth and young adult tobacco access laws, activities that support law enforcement efforts to enforce youth and young adult tobacco access laws, and any anticipated changes in youth and young adult tobacco access legislation or regulation in the state.

The combination of the federal and state programs creates a more effective overall tobacco enforcement effort. The State of Arizona enforcement can be combined with educational opportunities, including the state diversion tobacco education program called the Arizona Retail Tobacco Training (ARTT). Federal enforcement does not include education, but penalties for repeat offenders can top \$13,000 and can include actions such as a No Tobacco Sales Order (NTSO). Arizona had its first NTSO issued on August 19, 2020, for a Chevron in Maricopa County. No further NTSOs have been issued, but this may be due to the inspections pause caused by the COVID pandemic. A business having one violation in a joint inspection will therefore ideally obtain further education about the laws relating to the sale of tobacco products and will avoid further penalties, while businesses that continue to sell to Arizona youth will face stiff penalties that are unavailable under state statutes. This comprehensive approach to enforcement, including retailer education and holding businesses accountable for violations, is effective. The Attorney Generals' Office and FDA programs also participate in a task force aimed at improving compliance with laws regarding sales of all age-restricted products and related issues in Maricopa County. This task force assists in identifying retailers with significant compliance issues, allows for in-depth inspections of hookah lounges, and provides additional law enforcement resources to both the state and federal inspection programs. AGO has recently begun active collaboration with the City of Tempe and the City of Tucson, including joint inspections planning with local police departments to assist in enforcement of their newly implemented licensing ordinances. The Tempe collaboration was directly based on successes in collaboration with Tucson and added the aspect of proactive retailer education for all tobacco retail license applicants. The City of Flagstaff has expressed an interest in similar collaboration and AGO is providing technical assistance to cities who are considering local licensing and are exploring enforcement options. There are some early indications that there is

political will for changes to youth tobacco access laws in the 2025 legislative session, though no bills have yet been proposed.

Describe any challenges the state faces in complying with the Synar regulation.

- Limitations in the state youth and young adult tobacco access laws
  - Arizona's Youth Access Law, A.R.S. §13-3622, sets the age for furnishing tobacco products at 18 years. The federal law changed to 21 years for lawful sale of tobacco products in December of 2019.
- Limitations on completeness/accuracy of list of tobacco outlets
  - Arizona does not have Statewide Retail Licensing
- Difficulties recruiting youth and young adult inspectors
  - Localized issues with youth recruitment have continued to be a challenge. These issues have been addressed by transporting youth from areas with many youth inspectors to areas with fewer youth inspectors or trading youth between small towns where they may be recognized in their local retail stores. AGO and FDA have worked tirelessly to rebuild our network of youth volunteers across the state with significant successes. Youth volunteers have been successfully recruited in 13 out of 15 Arizona counties. The FDA program intends to use youth who "age in" to federal inspections by turning 18 as they work with both programs. This will allow recruitment and paperwork to continue to be as streamlined as possible. FDA will conduct additional recruitment for 18+ year old volunteers to participate in federal inspections.
- Issues regarding the balance of inspections conducted by youth inspectors age 15 and under.
  - Youth recruitment has presented a challenge, and many new recruits are 15 when they begin conducting inspections. Every effort is made to maintain a balance of youth 16 and older, particularly given the federal age of sale of 21. FDA inspections that contributed to the Synar sample did include inspectors age 18 and older, though this was a small fraction of total Synar sample inspections.
- Issues regarding the balance of inspections conducted by one gender of youth and young adult inspectors
  - Arizona is a large state with a lot of rural and undeveloped land. As a result, inspections often involve a large amount of travel time and resources for a small number of inspections. Retailers in extremely rural areas may only be inspected once every several years, leading to high localized Retailer Violation Rates (RVRs). Close coordination of Attorney General's Office and Food and Drug Administration is improving the consistency of inspections in more rural areas, including identifying accurately the retailers in operation in these areas.
- Cultural factors (e.g., language barriers, young people purchasing for their elders)
  - Both Attorney General's Office and Food and Drug Administration inspectors have encountered language barriers during inspections.
- Other challenges (Please list.)
  - Discrepancy between State and Federal age of sale
  - Retailers continue to report confusion in the legal age of sale for tobacco products due to

the difference between the state law (18) and the federal law (21). AGO regularly responds to phone calls from retailers and consumers asking about the correct age of sale. AGO has also received complaints from parents of youth age 18-20 who have been permitted to buy tobacco or vapor products and who were told that it was lawful due to the state age of sale. AGO provides consistent messaging that the federal legal age of sale is 21 and that law applies in all of Arizona, including on tribal land and on military bases. This information is specifically covered in ARTT and in the follow-up letters that are sent to every inspected business, including businesses who pass inspection.

## APPENDIX A: FORMS 1–5

FORM 1 (Required for all states not using the Synar Survey Estimation System (SSES) to analyze the Synar Survey data)

FORM 2 (Optional) Appropriate for stratified simple or systematic random sampling designs.

FORM 3 (Required when a cluster design is used for all states not using the Synar Survey Estimation System [SSES] to analyze the Synar survey data.)

FORM 4 (Required for all states not using the Synar Survey Estimation System [SSES] to analyze the Synar Survey data)

FORM 5 (Required for all states not using the Synar Survey Estimation System [SSES] to analyze the Synar survey data)

\*Please See SSES Excel Tables Uploaded for FORMS 1-5



## APPENDIXES B & C: Forms

### Instructions

Appendix B (Sampling Design) and Appendix C (Inspection Protocol) are to reflect the state's CSAP-approved sampling design and inspection protocol. These appendixes, therefore, should generally describe the design and protocol and, with the exception of Question #10 of Appendix B, are not to be modified with year-specific information. Please note that any changes to either appendix must receive CSAP's advance, written approval. To facilitate the state's completion of this section, simply cut and paste the previously approved sampling design (Appendix B) and inspection protocol (Appendix C) and respond to Question #10 of Appendix B to provide the requested information about sample size calculations for the Synar survey conducted in FFY 2024.

## APPENDIX B: Synar Survey Sampling Methodology

1. What type of sampling frame is used? List-assisted area frame
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
City of Tucson List	6	List of retail locations that have applied for a tobacco retail license with the City of Tucson.	Tucson's licensing ordinance went into effect in 2020, their most recent licensee list was initially cross-checked with TES in 2021. Going forward, this list will be compared to TES at least annually.
City of Tempe List	6	List of retail locations that have applied for a tobacco retail license with the City of Tucson.	Tempe's licensing ordinance went into effect in May 2024, their licensee list was initially cross-checked with TES in June 2024. Going forward, this list will be compared to TES at least annually.
Tobacco Enforcement System ("TES")	1	Comprehensive list of all locations inspected by AGO, Dept. of Revenue, and FDA since 2012 plus AGO list back to 2010.	Continually updated throughout the year as inspections are conducted.
City of Flagstaff List	6	List of retail locations that have applied for a tobacco retail license with the City of Flagstaff	Once Flagstaff implements the tobacco retail license ordinance, this list will be compared to TES at least annually.

New outlets from last year's sample	6	ADHS and AGO conduct ground truthing of all Arizona tobacco retailers included in the Synar sample.	All newly identified outlets are added to TES as they are identified, typically in the field. Outlets can also be added or edited in the office.
Attorney General's Office (AGO) List	6	This is a list of all retail locations inspected by the AGO in the current FY and historical and is incorporated in the complete TES database list.	Continually updated throughout the year as inspections are conducted.
Tobacco Manufacturer's List (US v. Phillip Morris)	6	This is the state-specific subset of the list of all tobacco retailers with a contract with major tobacco manufacturers provided by the manufacturers as part of the resolution to the US v Phillip Morris case.	Manufacturers will be providing several updates on a set schedule per the case resolution. This is a temporary list but will be utilized until the last update is provided.
FDA's List	6	This is a list of all retail locations inspected by the FDA in the current FY and historically and is incorporated in the complete TES database list.	Continually updated throughout the year as inspections are conducted.
TIMS List	6	Once clusters are identified, the list of outlets from TES will be cross-checked by the FDA program with the TIMS database to ensure that there are no additional outlets in TIMS that do not currently appear in TES.	Comparison will be made on initial selection of clusters and just before each cluster is inspected.

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

Sampling units are defined by census tracts.

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

Yes. Native American reservations and military bases are not included

(actual percentage is not available).

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

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

State law bans vending machines from locations accessible to youth and young adults. State has a

contract with the FDA and is actively enforcing the vending machine requirements of the Family Smoking Prevention and Tobacco Control Act.

5. Which category below best describes the sample design?

Unstratified statewide sample:

Single-stage cluster sample (Go to Question 8.)

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.
8. Provide the following information about clustering.
- a. Provide a full description of how clusters are formed.

The Tobacco Enforcement System (TES) is the database and GIS mapping tool that is utilized in Arizona to collect tobacco retailer and inspections data. The system was designed to provide a random sample of retailers for the Synar survey. The total number of outlets required to be inspected for the Synar survey sample is entered into the TES clustering tool. TES randomly selects census tracts that include retail tobacco outlets until the total number plus 25% (to allow for locations that have closed or cannot be inspected) is selected. There are 1,526 total census tracts in Arizona, so we anticipate that a random sample of census tracts will provide a more effective sample than a selection based on zip codes.

- 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.

The method used was simple random sample of census tracts (single stage cluster sample). All outlets are inspected within each cluster/census tract including all new outlets found in the cluster area. FDA and AGO teams will meet to examine and divide clusters. Clusters will be assigned to either the FDA, AGO, or joint FDA/AGO team based on the best use of limited resources. For example, inspections may already be planned by one team in an outlying rural area. That team would be assigned Synar inspections in that area as opposed to duplicating efforts. Each cluster entered for inspection must be comprehensively canvassed for all tobacco outlets, which must then be inspected along with the pre-listed outlets. All outlets inspected for Synar will appear and be tracked in TES, allowing for additional in-office quality control methods such as cross-checking the Synar survey inspections list with the outlets appearing on the TES GIS map.

9. Provide the following information about determining the Synar Sample.
- a. Was the Synar Survey Estimation System (SSES) used to calculate the sample size? Yes (Respond to part b.)
  - b. SSES Sample Size Calculator used? State Level; (Respond to Question 10a.)
    - i. Provide the formulas for determining the effective, target, and original outlet sample sizes. N/A

10. Provide the following information about sample size calculations for the Synar survey conducted in FFY 2024.

- a. If the state uses the sample size formulas embedded in the SSES Sample Size Calculator to calculate the state level sample size, please provide the following information:

Inputs for Effective Sample Size:

RVR: 8.5%

Frame Size: 631

Input for Target Sample Size: 456

Design Effect: 1.5

Inputs for Original Sample Size: 631

Safety Margin: 88.2%

Accuracy (Eligibility) Rate: 88.2%

Completion Rate: 99.4%

## Appendix C: Synar Survey Inspection Protocol Summary

Note: Upload to WebBGAS a copy of the Synar inspection form under the heading “Synar Inspection Form” and a copy of the protocol used to train inspection teams on conducting and reporting the results of the Synar inspections under the heading “Synar Inspection Protocol.”

1. How does the state Synar survey protocol address the following?
  - a. Consummated buy attempts?  
Required
  - b. Youth and young adult inspectors to carry ID?  
Required
  - c. Adult inspectors to enter the outlet?  
Required
  - d. Youth and young adult inspectors to be compensated?  
Permitted under specified circumstances (Describe: Most of the youth are volunteers, but on an as needed basis, Arizona may contract with an agency to provide youth for inspections and those youth may be paid)
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
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?)?  
 Sometimes
4. Describe the type of tobacco products that are requested during Synar inspections.
  - a. What type of tobacco products are requested during the inspection?
    - Cigarettes
    - Small Cigars
    - Cigarillos
    - Smokeless Tobacco
    - Electronic Cigarettes/Electronic Nicotine Delivery Systems (ENDS)
    - Other: Hookah, snus, and any other tobacco products covered by statute.
  - b. Describe the protocol for identifying what types of products and what brands of products are requested during an inspection.  
 Youth are trained on the types of products and brands of products prior to conducting inspections. The FDA has designed a program training them on protocols and products and must pass with 80% or higher score before conducting inspections. Youth are provided with

a book of photos of tobacco products to review for familiarization.

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

Inspectors are Food and Drug Administration commissioned officers and Special Agents from the Attorney General's Office.

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

Youth are recruited through our statewide youth coalition and other community-based youth groups such as Police Explorers and Civil Air Patrol. The inspection programs are promoted by local grantees and Arizona Attorney General's Office. Youth who complete Food and Drug Administration paperwork and training are selected to be youth inspectors for all tobacco inspection programs.

6. Are there specific legal or procedural requirements instituted by the state to address the issue of youth and young adult inspectors' immunity when conducting inspections?

- a. Legal: No
- b. Procedural: Yes
- c. AGO provides a periodic statement to FDA indicating that AGO has no intention of prosecuting youth who participate in inspections and no county prosecutors have indicated an intent to prosecute youth volunteers for tobacco purchases completed during inspections.

7. Are there specific legal or procedural requirements instituted by the state to address the issue of the safety of youth and young adult inspectors during all aspects of the Synar inspection process?

- a. Legal: No
- b. Procedural: Yes (If Yes, please describe.)  
Food and Drug Administration Officers and youth inspectors receive training in safety procedures prior to commencement of inspections. Youth are instructed to not inspect any business that they perceive to be unsafe. Businesses not inspected for these reasons are documented. Inspections conducted by the Attorney General's Office include at least one Arizona Peace Officer Standards and Training (AZPOST) certified law enforcement officer.

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

- a. Legal: No
- b. Procedural: Yes (If Yes, please describe.)  
Currently, all youth inspectors must be age 15, 16, or 17 to participate in the AGO youth tobacco inspection program. The gender balance of selected youth is 50% female and 50% male. Exceptions to the gender balance take place when unexpected events arise, such as a resignation of a youth inspector. Inspections occur at a variety of times during the day and days of the week including weekends. All youth inspectors are required to complete the Food and Drug Administration youth inspector training. Beginning in FFY2023, FDA

incorporated Underage Purchasers who are 18, 19, and 20 years old. FDA intends to use inspectors who are representative of all ages 16-20 years of age. Upon commencement of including 18-year-old and older inspectors, FDA implemented procedures including background clearance for these young adult volunteers, as required by state and/or federal protocols. If the state passes a new age of sale law that both raises the tobacco purchase age to 21 and is in effect before October 1, 2025, AGO may also choose to incorporate inspectors ages 18-20 during calendar year 2025.



## Appendix D: List Sampling Frame Coverage Study

(List Frame Only)

1. Calendar year of the coverage study: N/A
2.
  - a. Unweighted percent coverage found: N/A
  - b. Weighted percent coverage found: N/A
  - c. Number of outlets found through canvassing: N/A
  - d. Number of outlets matched on the list frame: N/A
3.
  - a. Describe how areas were defined. (e.g., census tracts, counties, etc.) N/A
  - b. Were any areas of the state excluded from sampling? N/A
4. Please answer the following questions about the selection of canvassing areas. N/A
  - a. Which category below best describes the sample design? (Check only one.) N/A
    - 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.
  - c. Provide a full description of the strata that were created.
  - d. Provide a full description of how clusters were formed.
5. Were borders of the selected areas clearly identified at the time of canvassing? N/A
6. Were all sampled areas visited by canvassing teams? N/A
7. Were field observers provided with a detailed map of the canvassing areas? N/A
8. Were field observers instructed to find all outlets in the assigned area? N/A
9. If a full canvassing was not conducted: N/A
  - a. How many predetermined outlets were to be observed in each area?

- b. What were the starting points for each area?
  - c. Were these starting points randomly chosen?
  - d. Describe the selection of the starting points.
  - e. Please describe the canvassing instructions given to the field observers, including predetermined routes.
10. Describe the process field observers used to determine if an outlet sold tobacco. N/A
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.) N/A
12. Provide the calculation of the weighted percent coverage (if applicable). N/A