

The Role of the Synar Amendment in Efforts to Prevent Tobacco Addiction

Jennifer Wagner
JBS International, Inc.



Tobacco Use

Tobacco addiction is the single most preventable cause of death in our society.

Centers for Disease Control and Prevention



Tobacco and Youth

Addiction Rates

The younger a person starts smoking, the stronger the addiction.¹

Gateway to Other Drug Use

Current illicit drug use was approximately 8 times higher among 12- to 17-year-old smokers (46.7%) than among youths who did not smoke in the past month (5.5%).²

1. CDC, Preventing Tobacco Use Among Young People.

2. 2005 National Survey on Drug Use and Health.



What do we do next?

Comprehensive Tobacco Prevention and Control programs that include **environmental strategies!**



What are environmental strategies?

- Strategies that focus on changing community norms, availability of substances, and local policies
 - Tobacco Taxes
 - Clean Indoor Air Laws
 - **SYNAR Amendment**



What Is the Synar Amendment?



The Synar Amendment

The Synar Amendment requires States to:

- Enact laws prohibiting the sale and distribution of tobacco products to minors.
- Enforce such laws in a manner that can reasonably be expected to reduce the availability of tobacco products to youth younger than 18.
- Conduct random, unannounced inspections of tobacco outlets using a probability sample.
- Report these annual findings to the Secretary of DHHS.



Penalty for Noncompliance

- If States do not comply with the Synar Regulations, there is a monetary penalty:

40% of the State's SAPT Block Grant

OR

States may choose to take the alternative penalty.



Alternate Penalty – 214/218 Provision

- Section 214/218 provision provided a penalty alternative for States not meeting the Synar target rate:
 - Commit new State funds for tobacco compliance activities.
 - Supplement and not supplant existing funds for tobacco prevention and compliance activities.
 - Provide reports to the Secretary of DHHS on all State resources for prevention and compliance activities.



Implementing the Synar Regulations

To implement the Synar legislation, SAMHSA issued the Synar Regulation in January 1996 requiring States to:

- Have in effect laws prohibiting any manufacturer, retailer, or distributor of tobacco products from selling or distributing such products to any individual younger than age 18.
- Enforce their laws.
- Conduct annual, random unannounced inspections in a way that provides a valid probability sample of outlets accessible to minors.
- Negotiate interim targets and a date to achieve a noncompliance rate of no more than 20%.
 - Federal target of 20% established for States and U.S. Jurisdictions for the FY 2003 ASR.
- Submit an Annual Synar Report (ASR) detailing State activities to enforce their laws.



Laws

- Currently, all 59 States and U.S. Jurisdictions that are subject to Synar requirements have a law that prohibits the sale of tobacco products to minors
 - Red Lake receives an SAPT Block Grant but is exempt from the Synar requirement.
 - The law passed by each State and Jurisdiction reflects its unique political and cultural climate.



Enforcement and Inspections

- In 2006, States conducted an average of 984* Synar inspections.
 - Female inspectors conducted approximately 42% of those inspections.
- In 2006, 59 States and Jurisdictions issued an average of 447 citations and assessed 185 fines.

*This estimate is based on the 48 States that use the Synar Survey Estimation System.



Conducting the Synar Survey

Since 1996 (FY 1997), States have been required to conduct random, unannounced inspections using a probability sample.

- Develop a sampling frame (which includes over-the-counter outlets, vending machines, and, at a minimum, 80% of the known tobacco outlets in the State) and assess its quality every 3 years.
- Determine appropriate sample size for Synar survey under a specified sampling design.
- Select a random, statewide sample of outlets that reflects the geographic distribution of outlets accessible to youth.

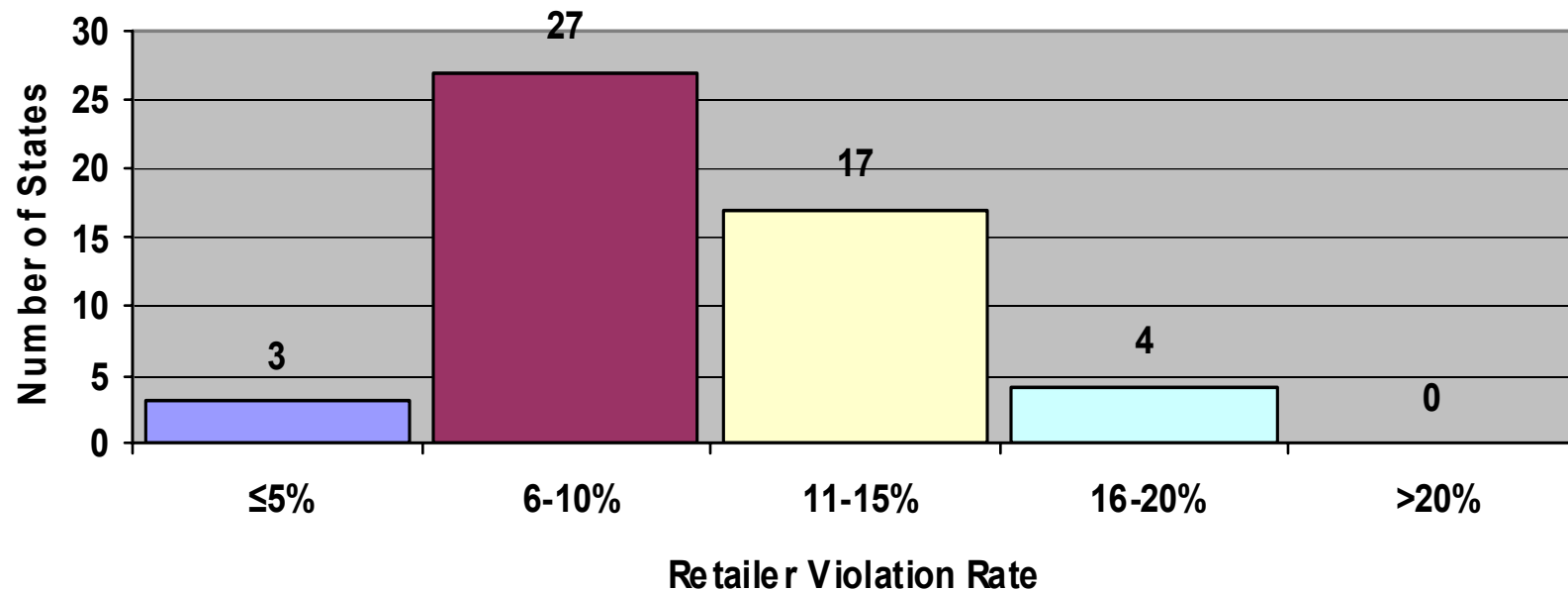


Reporting

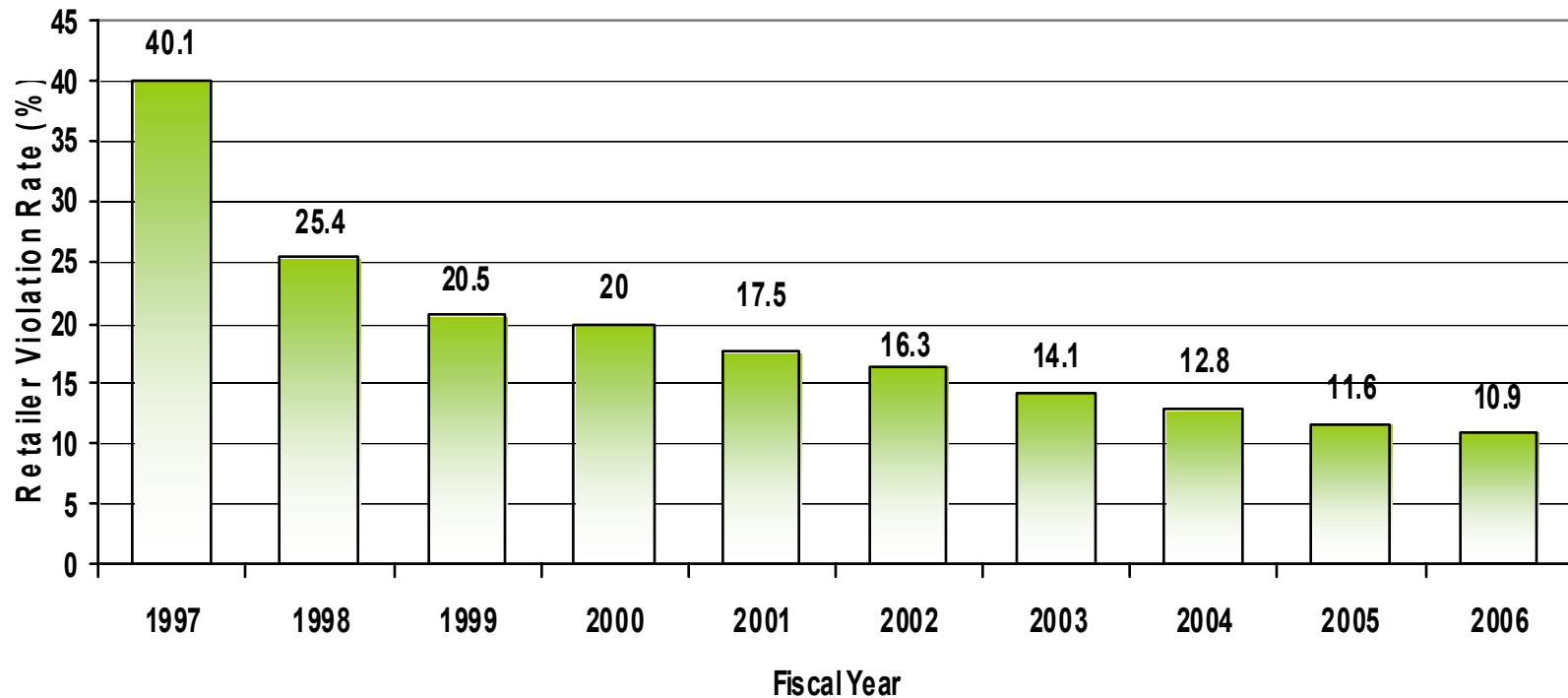
- All 59 States and Jurisdictions submit an Annual Synar Report to SAMHSA.
- This report must be made available to the public.

Synar Progress

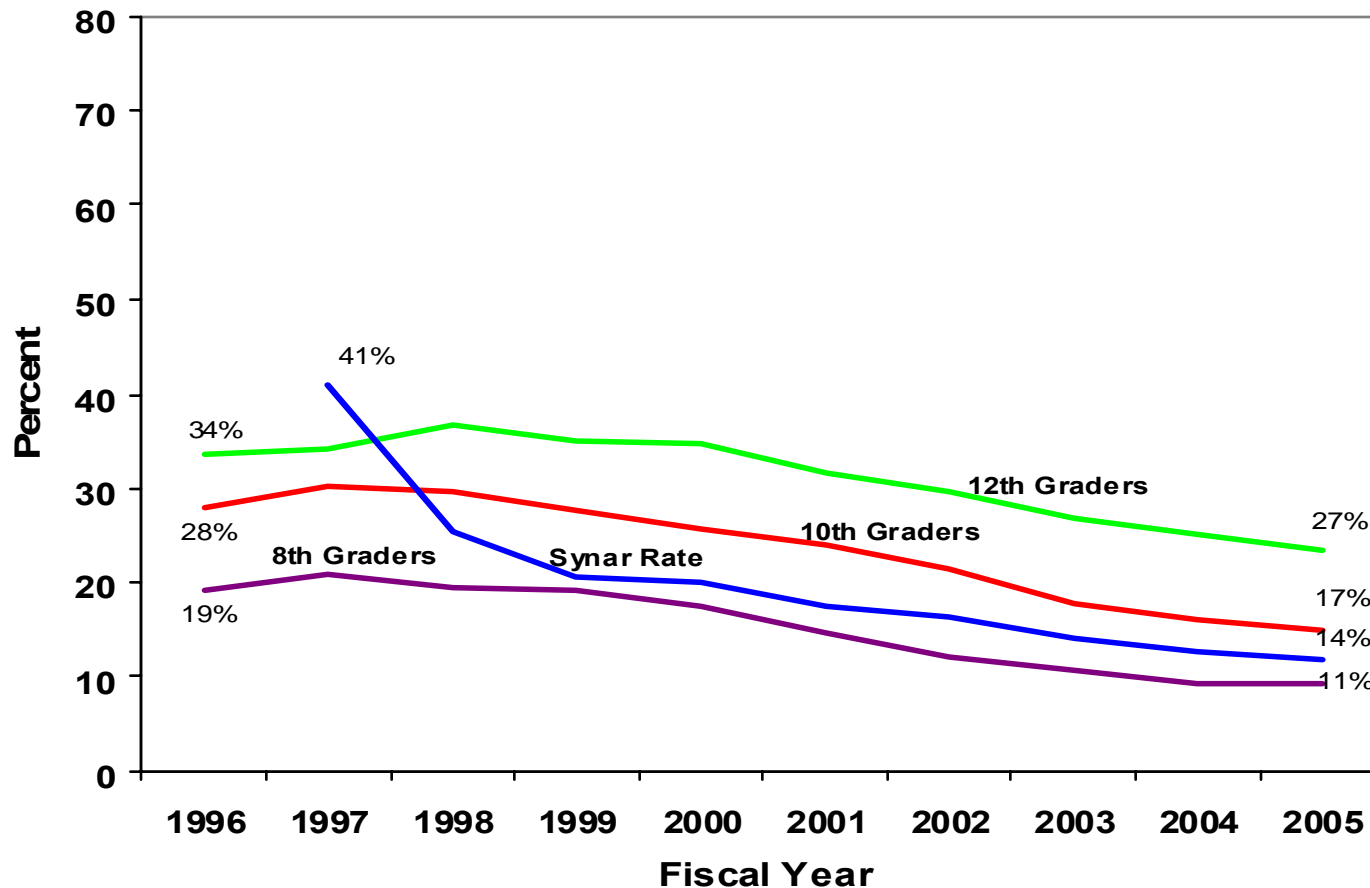
Breakdown of States Achieving the 20% Retailer Violation Rate, FY 2006



National Retailer Violation Rate FY 1997–FY 2006

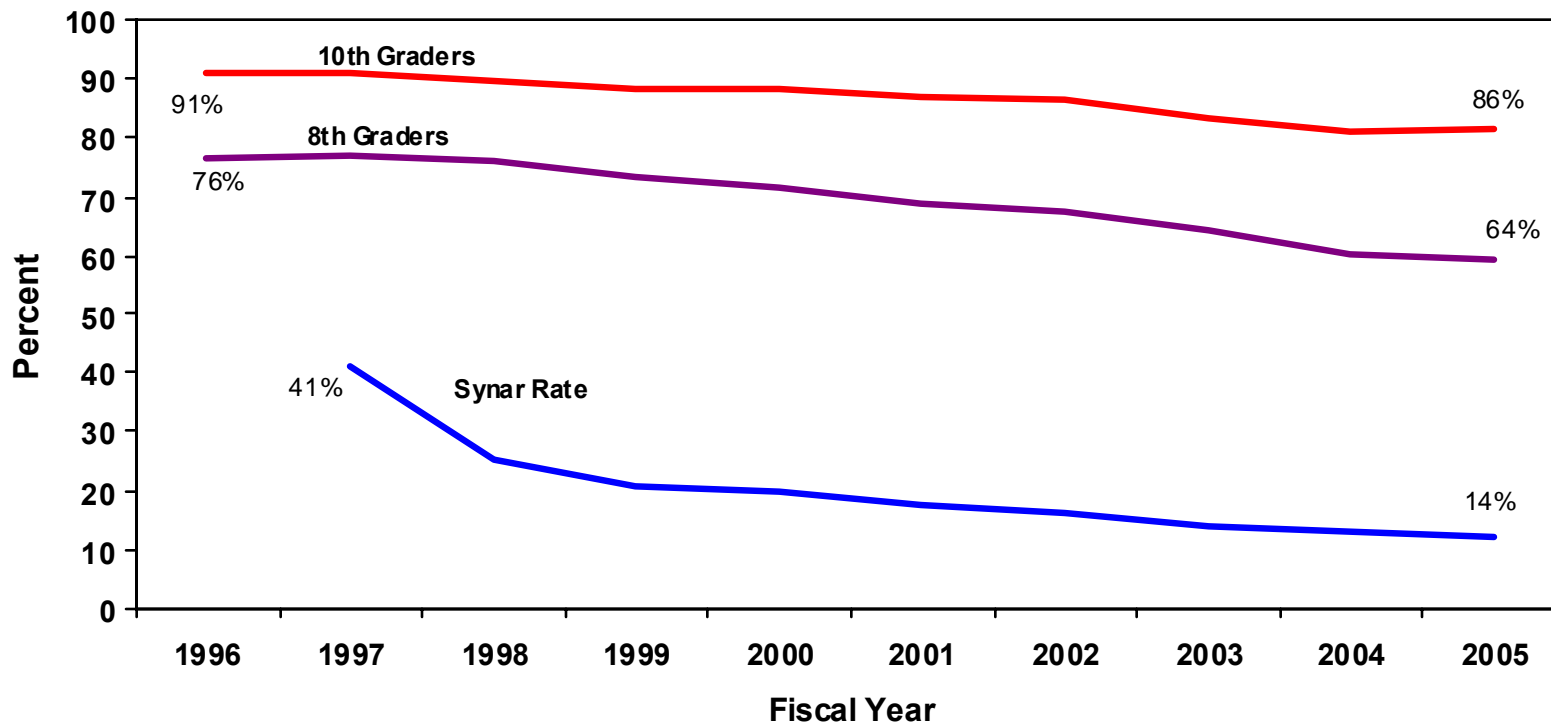


Synar Noncompliance Rate and 30-Day Cigarette Use by 8th, 10th, and 12th Graders, FY 1996–FY 2005




Source: Monitoring the Future, 2005.

Synar Noncompliance Rate and Perceived Availability of Cigarettes by 8th and 10th Graders, FY 1996–FY 2005



Source: Monitoring the Future, 2005.



A comprehensive Synar Program includes traditional key components:

- Enforcement
- Merchant and Community Education
- Community Mobilization
- Policy and Regulatory Evaluation
- Interagency Collaboration



Next Steps

- Given that the Synar program is only one part of a comprehensive tobacco prevention and control system, Synar must be incorporated into the State's overall, comprehensive Tobacco Prevention and Control Plan.