

California Department of Health Services, Tobacco Control Section

2005 California Youth Tobacco Purchase Survey

Executive Summary

Background

The California Department of Health Services, Tobacco Control Section (CDHS/TCS) conducts an annual Youth Tobacco Purchase Survey (YTPS) to determine California's illegal tobacco sales rate to youth, as required by the federal Synar Amendment¹ and the Stop Tobacco Access to Kids Enforcement (STAKE) Act.² CDHS/TCS reports this data every year to the federal Substance Abuse and Mental Health Services Administration (SAMHSA) via the Department of Alcohol and Drug Programs.

The Synar Amendment requires all states to: 1) enact and vigorously enforce laws prohibiting tobacco sales to minors; 2) conduct annual scientific random inspections to assess the illegal sales rate; and 3) report progress to SAMHSA. States that fail to maintain an illegal sales rate lower than 20 percent, risk a penalty of losing up to 40 percent of block grant funds for alcohol and substance abuse prevention and treatment programs. For California, this is equivalent to more than \$100 million for local community programs.

The 2005 YTPS was conducted in March through June by the Behavioral Health Institute of the San Diego State University Foundation, a contractor for CDHS/TCS. Youth participants (47.8 percent of which were 15 year-olds, 52. percent were 16 year-olds) were trained and ethnically matched to sampled neighborhoods, and a consummated "actual buy" protocol was used. One purchase was made per store and 714 stores were surveyed.

Key Survey Findings

- The illegal sales rate to youth decreased from 14.0 percent in 2004 to 10.2 percent in 2005 (a statistically significant decrease). This is the lowest illegal sales rate achieved since the beginning of the program in 1995.
- Discount/Gift stores had the highest illegal sales rate at 21.6 percent in 2005, followed by donut shops at 20.6 percent. Deli/Meat markets sold the next highest at 18.5 percent.
- Drug stores/Pharmacies sold at the lowest rate of 2.4 percent.

¹ Federal 1992 Synar Amendment (Section 1926, Federal Public Health Act 1992).

² Business and Professions Code Section 22950-22963 prohibits the selling or giving of tobacco products to minors, and requires retailers to check the ID of youthful-looking tobacco purchasers and post age-of-sale warning signs with specified language, at all points of purchase. Also see Penal Code Section 308(a).

- The presence of STAKE Act mandated age-of-sale warning signs decreased from 50.7 percent in 2004 to 46.1 percent in 2005.

Achieving a 10.2 percent illegal sales rate in 2005 is the pay off for California's investments in tobacco control law enforcement, retailer education, public awareness, state laws and a growing number of strong local policies. Local Lead Agencies, competitive grantees, and several California agencies are to be commended for their efforts. For instance:

- Multiple county tobacco control programs increased tobacco retailer and public education, and increased local retail tobacco control policy development, including tobacco retailer licensing policies that raise funding for enforcing youth access to tobacco laws;
- In 2002, the Department of Alcohol and Drug Programs elevated education and collaboration outreach to local county drug and alcohol funded agencies and worked with Friday Night Live organizations to increase public awareness at the local level;
- Alcoholic Beverage Control Board inspectors checked for STAKE Act signage at licensed alcohol retailers and increased the presence of STAKE Act signs where they were not previously posted, and;
- In 2003, the Attorney General's Office attained assurances of voluntary compliance with Walgreens, Exxon-Mobil, BP Amoco and ARCO to institute improved tobacco sales procedures and safeguards.

These combined efforts demonstrate that increased enforcement, coupled with retailer and community education, results in improved retailer compliance with youth tobacco access laws. Keeping the pressure on has helped more retailers "get the message" to stop selling tobacco to kids.