

Process

Retailer Selection

A July 2019 listing of 302 licensed tobacco retailers in unincorporated areas of the county was provided to TCRP by the Sheriff's Department (originating from the California Department of Tax and Fee Administration). Business names that contained the terms *club*, *golf*, *bar*, *hookah*, or *lounge* were excluded, leaving 277 retailers. A sample size calculator was used to determine that 161 stores would need to be surveyed to form a representative sample, which were then randomly selected from the aforementioned list. Of these, 25% were randomly assigned traditional tobacco (e.g. combustible cigarettes and cigarillos) as the first-line attempted purchase product; 75% were randomly assigned e-cigarette products as the first-line attempted purchase.

Investigation

Young adult investigator (18-19 years old) and supervisor volunteers were recruited by the three TCRP-contracted organizations: VCC, SAY, and CASA. To ensure a consistent process for all participating organizations, training materials were adapted from existing materials created by CTCP and the contracted organizations and delivered to volunteers by SDSU-IPH or County staff prior to data collection (Appendix A). The trainings covered data related to underage tobacco use, proposed solutions to the problem, goals of the YATPS, the Flash ID protocol recommended by CTCP, and documentation of the purchase attempts, including an emphasis on the accurate collection of important data points such as retailer type and presence of STAKE Act signage near registers. Trainees also role-played various scenarios to practice the selected protocol. IPH facilitated three trainings for 41 volunteers (21 young adult investigators and 20 supervisors) between February 11th and 15th, 2020.

County staff provided volunteers with store assignments, suggested routes, and a letter with contact information for the TCRP Community Health Program Specialist (to be shown to retailers in case of questions or confrontations). The Sheriff's Department, which has law enforcement authority over the unincorporated areas, was provided advanced notice about the YATPS. Volunteers conducted all YATPS visits between February 15th and 25th, 2020 between the hours of 8:00 AM and 6:00 PM. Each store location was visited by at least one young adult volunteer and one supervisor. If the young adult volunteer felt comfortable, they would proceed to enter the store and attempt to purchase the assigned product (traditional tobacco or e-cigarette). When the assigned product was unavailable, the young adult investigators were instructed to attempt any tobacco purchase. If asked about age or ID, investigators were instructed to not lie about their age and to flash their ID card (driver's license, passport card, or military ID) to the clerk. If at any time the young adult investigators experienced discomfort, they were instructed to leave the store and return to their supervisor waiting in the car. Purchased products were logged by the supervisor and forwarded to the County. Data were recorded on a one-page form (Appendix B) and entered into MS Excel. Excel files were forwarded to SDSU-IPH by County evaluation staff for analysis.

Analysis

Data were received in MS Excel and imported into SPSS version 26 for cleaning and analysis. Summary statistics are reported herein; totals may not sum to 100% due to rounding.

Results

Young adult investigators conducted surveys at 142 of the 161 randomly selected retailers. Surveys were unable to be completed at 19 retailers for a variety of reasons, including: 21+ sign posted, meaning anyone under the age of 21 could not enter (n=9), couldn't locate retailer (n=4), tobacco products not sold (n=3), volunteer knew individuals working (n=2), and location was unsafe (n=1). As previously mentioned, each retailer was randomly assigned a type of product for the purchase attempt: 121 retailers were assigned e-cigarettes and 40 retailers were assigned combustible tobacco products (e.g. cigarettes or cigarillos) without any specified products. (Table 1)

Table 1 Data collection summary by contractor

Organization	Stores assigned	Surveys conducted	Assigned Product	
			Tobacco	E-cigarette
Community Action Service & Advocacy (CASA)	71	66	19	52
Social Advocates for Youth (SAY) San Diego	40	37	8	32
Vista Community Clinic (VCC)	50	39	13	37
Total	161	142	40	121

When the assigned product was unavailable, investigators were free to choose a different product. However, data regarding the products that were *actually* requested were not consistently documented, except where sales were made. Correcting data where possible, there were 44 requests for tobacco and 117 for e-cigarettes. These denominators will be used in all subsequent analyses.

Investigator Characteristics

Table 2 summarizes demographic information about the young adult investigators. The mean age of the 17 investigators was 19.0 (range 18.1 – 19.9). Nearly 60% of investigators identified as female and 41% identified as male. Each investigator completed an average of 8.4 surveys (range 3 – 14).

Table 2 Investigator demographics (n=17)

Characteristic	n (%) or Mean (range)
Age	19.0 (18.1 – 19.9)
<i>Gender identity</i>	
Female	10 (60%)
Male	7 (41%)
Stores surveyed	8.4 (3 – 14)

Store Characteristics

Investigators were asked to classify each retailer into one of ten categories, which were then collapsed into eight as shown in Table 3. Gas stations (with and without attached convenience stores) were the most common type of retailer visited (29%), followed by liquor stores (25%), convenience stores (without gas pumps, 13%), independent markets (11%), and smoke/vape shops (10%). There were few grocers (8%) and pharmacies (4%), and one resort was represented.

Table 3 Retailer categories visited (n=142)

Type of store	n (%)
Gas stations (with and without convenience stores)	41 (29%)
Convenience stores (without gas pumps)	19 (13%)
Liquor store	36 (25%)
Independent markets	15 (11%)
Smoke/vape shop	14 (10%)
Grocers	11 (8%)
Drug store	5 (4%)
Resort	1 (1%)

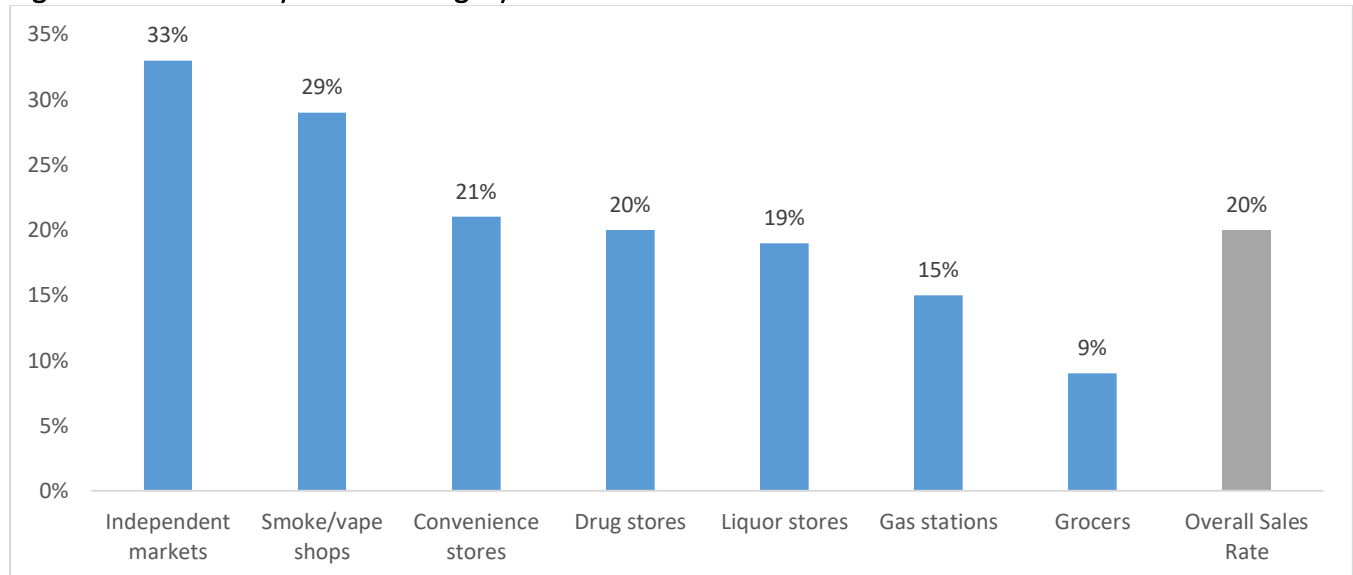
In this YATPS of 142 retailers, the overall sales rate was 20%. Table 4, below, shows the sales rate by characteristics of the products requested and of the young adult investigators. Combustible tobacco products had a higher sales rate (23%) than e-cigarettes (19%) and males (25%) had a higher sales rate than females (15%). Combustible tobacco products that the investigators were able to purchase included cigarillos (n=7), cigarettes (n=5) and small cigars (n=1).

Table 4 Sales rates by selected characteristics (n=142)

Characteristic	Sales rate	Total purchase attempts
Product Requested		
Tobacco	23%	40
E-cigarette	19%	102
Investigator gender identify		
Female	15%	79
Male	25%	63

Figure 2 shows that among retailer categories, independent markets had the highest sales rate (33%), followed by smoke/vape shops (29%), convenience stores (29%), and drug stores (20%). Liquor stores, gas stations, and grocers all had sales rates under 20%. One retail outlet at an Inn remained uncategorized (though they did not sell the product to the investigator).

Figure 2. Sales rate by retailer category



Investigators were asked to notice and record details of their experience inside of each retail location. Several of these items, shown in Table 5, were related to the transaction itself and one was related to the retail environment. STAKE Act signs were posted near the registers, as required by law, at 61% of retailers where no sale was made and at 54% of retailers where an underage sale was made, though this difference was not statistically significant. There were statistically significant differences observed in sales by whether the clerk asked the investigator’s age (38% of no-sales and 4% of underage sales) and for ID (81% of no-sales and 48% of underage sales). Driver’s licenses were shown in 86% of attempts and passport booklets or cards were shown in 14% of attempts when an ID was requested.

Table 5 Retailer and purchase attempt characteristics by whether an underage sale was made (n=142)

Survey Item	No Sale		Underage Sale		All Attempts		p-value ²
	n	%	n	%	n	%	
STAKE Act sign posted near register							0.502
Yes	69	61%	15	54%	84	59%	
No	45	40%	13	46%	58	41%	
Clerk asked investigator’s age³							<0.001
Yes	43	38%	1	4%	44	31%	
No	71	62%	27	96%	98	69%	
Clerk asked investigator to show ID							<0.001
Yes	92	81%	13	48%	105	75%	
No	22	19%	14	52%	36	26%	
Type of product attempted							0.602
Tobacco	31	27%	9	32%	40	28%	
E-cigarettes	83	73%	19	68%	102	72%	

¹ Sample sizes vary due to missing data

² p-value from Pearson’s Chi-Square test

³ The Flash ID protocol called for investigators to tell the truth if asked for their age

Discussion

Tobacco 21, the law raising the purchase age for tobacco products from 18 to 21, has been in effect in California since June 2016. A federal Tobacco 21 law was implemented in December 2019. Young adult investigators conducted tobacco purchase surveys at 142 retailers in unincorporated San Diego County in February 2020 to assess rates of compliance with these state and federal laws. Overall, 1 in 5 surveyed

stores (20%) sold tobacco products to underage 18- and 19-year-old investigators. Higher sales rates were observed at independent markets, smoke/vape shops, and convenience stores (that do not sell gas). Higher sales rates were also observed for male investigators and when combustible tobacco products were requested. It is clear that there are compliance issues with state and federal laws among retailers in Unincorporated San Diego County. Municipalities across California have seen great success with Tobacco Retail Licensing policies, evidenced by reductions in underage tobacco sales after policy adoption.

Limitations

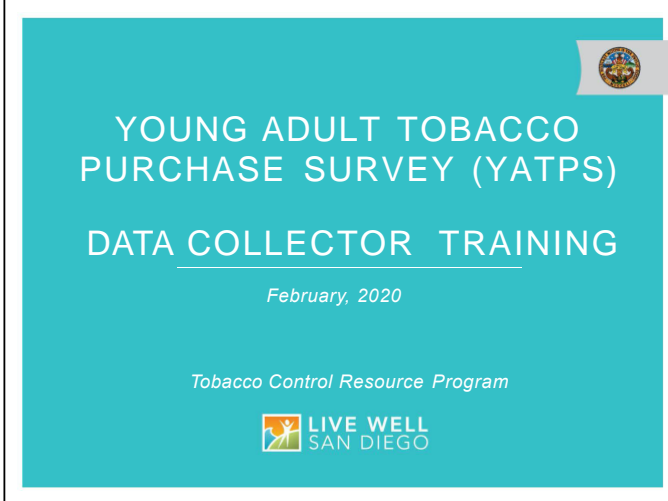
Results from this February 2020 YATPS in unincorporated San Diego County must be interpreted with caution. Data resulting from the Flash ID protocol may not be comparable to statewide compliance rates that use other protocols. In addition, investigators were able to ask for traditional tobacco products in cases where e-cigarettes or vaping devices were unavailable, though this data was not uniformly captured as there was no formal area to note this on the data collection form. In the case of successful sales, it was possible to know when the assigned product differed from the attempted product, though it is not possible to know if this happened in failed purchase attempts.



Contractor Reflections

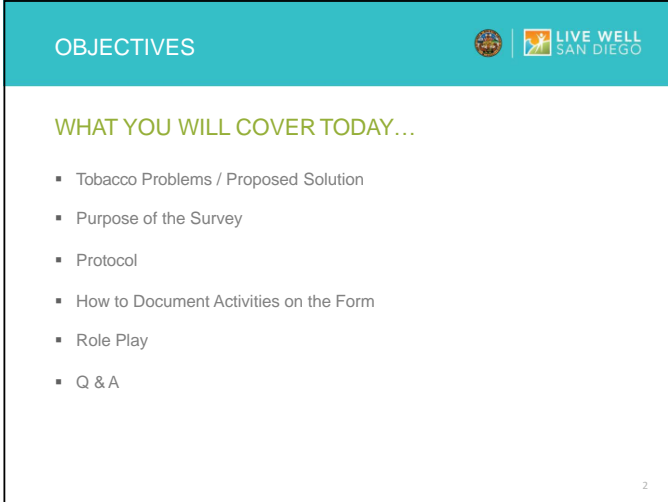
Contractors were asked to reflect on their experiences conducting the YATPS. The selected protocol (Flash ID) was identified as a barrier by the contractors, who expressed a strong preference for the “Natural Protocol.” Contractors also noted that the young age of the young adult investigators was a barrier due to scheduling, with a preference to extend to age 20 in future YATPS.



Some volunteers reported negative reactions from the retailers, and retailer-to-retailer “tip-offs” were evident in some cases. Despite these experiences, all contractors reported that volunteer young adults and supervisors had very positive experiences, with several indicating that they would like to participate in future events. Contractors felt that the volunteer stipends were very helpful for recruiting volunteers, and should be a continued practice. Lastly, most contractors agreed that the training was informative and prepared them well to conduct and document the YATPS, and provision of routes mapped in advance by County staff were an asset.

Appendix A – Young Adult Tobacco Purchase Survey Data Collection Training




**YOUNG ADULT TOBACCO
PURCHASE SURVEY (YATPS)**
DATA COLLECTOR TRAINING
February, 2020
Tobacco Control Resource Program




OBJECTIVES  

WHAT YOU WILL COVER TODAY...

- Tobacco Problems / Proposed Solution
- Purpose of the Survey
- Protocol
- How to Document Activities on the Form
- Role Play
- Q & A

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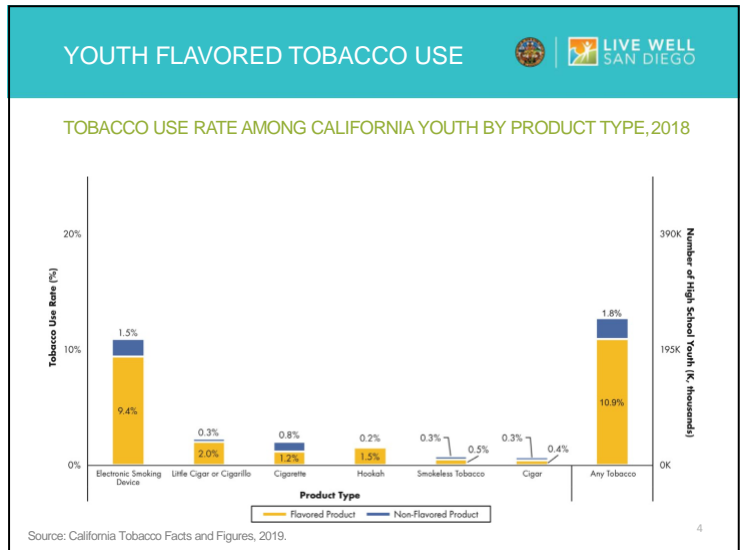
THE SOBERING REALITY: TOBACCO KILLS

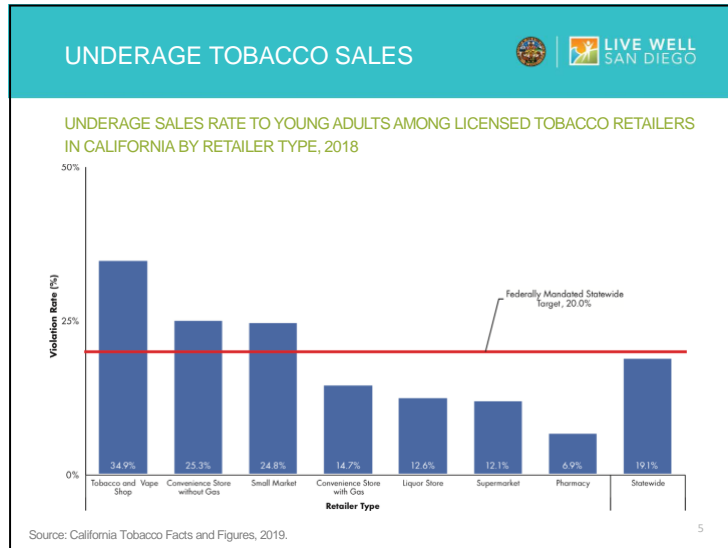
TOBACCO USE IS ONE OF THE BIGGEST PUBLIC HEALTH THREATS THE WORLD HAS EVER FACED.

Tobacco use kills 480,000 Americans every year – more than 1,300 people every day.

Smoking kills more people than alcohol, AIDS, car accidents, illegal drugs, murders and suicides combined.

Source: Campaign for Tobacco Free Kids, 2016.





IMPACTS

Follow the law. Keep persons under the age of 21 safe.

441,000

kids now under 18 and alive in California who will ultimately die prematurely from smoking.²

64% of California's adult smokers started by age 18.³

14% of California's high school students currently use tobacco products.⁴

In 2017, 12% of tobacco only retailers in California sold tobacco to people under age 18.⁴

Among individuals who started using tobacco before 18, regular or daily smoking was not established until the ages of 20 or 21

2. U.S. Department of Health and Human Services. The Health Consequences of Smoking: 50 Years of Progress: A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014.
 3. Behavioral Risk Factor Surveillance System 2016. Sacramento, CA: California Department of Public Health.
 4. California Department of Public Health, California Tobacco Control Program, California Tobacco Facts and Figures 2017, Sacramento, CA: California Department of Public Health, 2017.

Source: CDPH Tobacco 21 Infographic, 2017.

SAN DIEGO COUNTY: UNDERAGE PURCHASES  

- Among high school students who are current e-cigarette users, 31% buy them from the store themselves.
 - (2017-18 California Student Tobacco Survey)
- Among high school students who are current cigarette users, 37% reported buying them from a store. And of those who reported buying from the store, 41% brought from gas stations or convenience stores.
 - (2017-18 California Student Tobacco Survey)



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PROPOSED SOLUTION  

Adoption of Local Tobacco Retailer License Ordinance

- Requires store owners to purchase an annual permit in order to sell any tobacco product.
- Permit fee covers the cost for administration of the license and enforcement.
 - Enforcement includes merchant and community education and usually at least one young adult sting per year.
- Violation of the ordinance fine, license suspended or revoked.
- Myriad of benefits:
 - Lower youth smoking rates.
 - Reduce youth access to tobacco.
 - Create a safer and healthier environment.
 - Educate the community on the issue of underage illegal tobacco sales.
 - Stand up to the tobacco industry.



Source: ChangeLab Solutions (June 2018). Tobacco Retailer Licensing: An Effective Tool for Public Health.

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TOBACCO RETAILER LICENSING STRATEGIES

Ten strategies for creating and implementing effective tobacco retailer licensing (TRL) policies in your community



1 Conduct an Environmental Assessment

2 Define the Problem

3 Assess the Legal Landscape

4 Convene a Community Coalition

5 Educate Decision Makers and the Public

6 Create and Adopt a Strong TRL Policy

7 Calculate Costs to Implement and Enforce TRL


8 Work with Relevant Agencies to Implement and Enforce TRL

9 Collect Data and Evaluate the TRL Policy



10 Additional Uses for TRL

ChangeLab Solutions
 To learn more: www.changeab.com/solutions.org/tobacco-control

IT REALLY WORKS!



- More than 156 communities in California have adopted strong local tobacco retailer licensing ordinances in an effort to reduce underage illegal sales of tobacco products. (Center for Tobacco Policy and Organizing, May 2019)
- Overwhelmingly, these local tobacco retailer licensing ordinances are effective.
- Rates of underage illegal tobacco sales have decreased.

PURPOSE OF SURVEY  

YOUNG ADULT TOBACCO PURCHASE SURVEY (YATPS)

- To assess the level of compliance
 - Penal Code Section 308(a)
 - Stop Tobacco Access to Kids Enforcement (STAKE) Act

Prohibit the sale of tobacco products to any persons **under the age of 21**

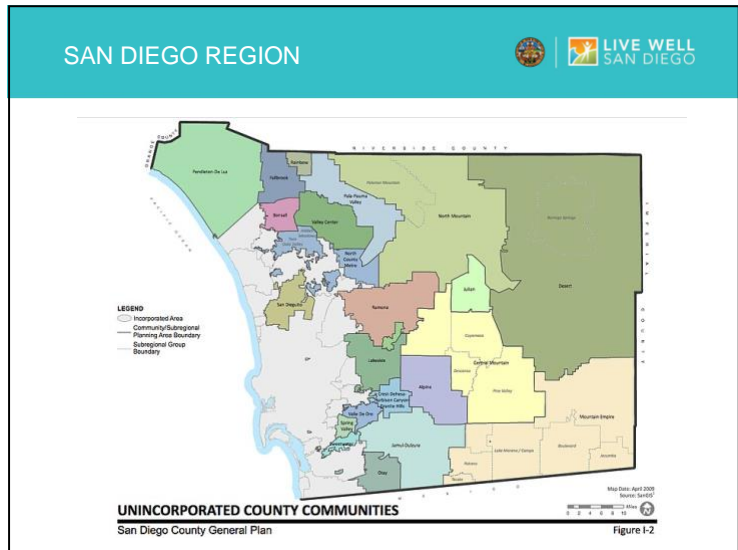
The Sale of Tobacco Products to Persons **Under 21** Years of Age Is **Prohibited** by Law and Subject to Penalties

To Report an Unlawful Tobacco Sale Call
1-800-5 ASK-4-ID

U.S. Armed Forces active duty personnel with military ID must be at least 18 years of age
Valid Identification May Be Required

This sign must be visible on the premises and must not be obscured, tampered with, or removed.

Business and Professions Code Section 25102



TOBACCO PRODUCTS

Vaping

Other tobacco

Cigarettes	Little cigars/cigarill	Blunt/cigar wraps
Large cigars	Chewing tobacco	Snus
		Hookah

Healthy Stores for a Healthy Community

VAPING PRODUCTS

includes multiple categories (on vaping products module)

E-cigarettes
 Includes cigalikes, e-hookah, e-cigars and cartridges

Pod Mods

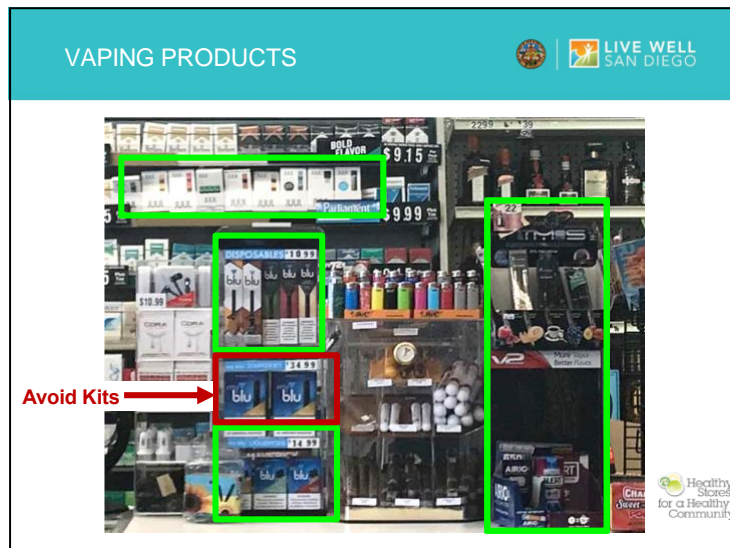
Vape pens



Mods/tanks

Cartridges

E-liquids

Healthy Stores for a Healthy Community



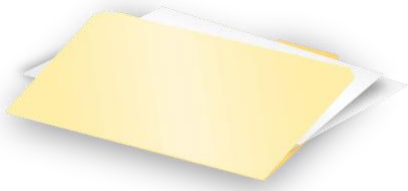
PACKETS  

Training Packet



- Data Collection Form
- Training Slides
- Program Letter

Contractors' Packets

- List of Stores
- Data Collection Forms
- Travel Routes/Maps



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YOUNG ADULT INVESTIGATOR  

- 18 or 19 years-old
- Carry own government-issued ID
- Visit tobacco retailers and attempt to purchase tobacco products
 - Vaping product – refills, cartridges or e-liquids or other tobacco products
 - Be aware “the sale of tobacco products to persons under the age of 21 is illegal in the State of California”
 - State law no longer includes language for prosecution for possession of tobacco by persons under the age of 21

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ROLE OF SUPERVISORS



- Ensure the investigator's safety
 - The utmost importance for them and the investigator for whom they are responsible
- Ensure the survey protocol is adhered to
- Record the information on the data collection instrument
- Carry a letter while they are working on the project
- Drive safely
- Do not use a marked municipal vehicle

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YOU ARE NOT GOING TO




- ⊗ Bars or any places that are only accessible to those ages 21 and over
- ⊗ Retailers that require a fee to enter (e.g., Costco, golf courses, country clubs)
- ⊗ Hookah lounges

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PROCEDURE FOR ATTEMPTED BUY

- Flash ID Protocol
 - Show government-issued California ID
 - Not hand your ID to the clerk
- Check before starting investigations
 - Do you have your government-issued ID?
 - Do you have the list of stores?
 - Do you have the forms?
 - Do you have money?



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FLASH ID PROTOCOL

Investigator	Supervisor
1 N/A	Park as close to the store but out of the line of sight of the entrance/the clerk cannot see the car (e.g., side or back)
2 Bring your government-issued ID	Provide the investigator enough money to purchase vaping product
3 Go directly to the cashier Ask for _____, pick a flavor/item that you like, "Do you have _____?" If not, "What do you have that's close?"	Stay in the car



The Sale of Tobacco Products to Persons Under 21 Years of Age is Prohibited by Law and Subject to Penalties

To Report an Unlawful Tobacco Sale Call **1-800-5 ASK-4-ID**

U.S. Federal Excise tax duty payment with industry ID must be at least 18 years of age
Valid Identification May Be Required


Check **STAKE Act** sign posted near the register

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FLASH ID PROTOCOL  



AFTER YOU ASK FOR THE PRODUCT

If you feel uncomfortable or are confronted by the clerk, other employees, or anybody else, you should leave the store **immediately**.





Investigator	Supervisor
If the clerk processes the sale without any additional questions, pay for the purchase, take the receipt if offered, leave the store immediately	N/A
If the clerk asks your age, tell the truth	N/A
If the clerk asks for ID, show your ID while holding on to the ID	N/A
If the clerk does not sell it, simply leave the store Do not plead with or continue to interact with the clerk	N/A

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FLASH ID PROTOCOL  

AFTER THE INVESTIGATOR LEAVES THE STORE


Investigator	Supervisor
Report the information immediately	Record the information on the data collection instrument
Keep purchased tobacco product in a bag labeled with date and location of store. Give it to the supervisor	Will return purchased products to the County


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KEY ISSUES 

- If you know anyone inside the store, leave the store.
- If anyone else talks to you, politely ignore them.
- If the clerk asks to scan or hold, do not give the ID to the clerk.
 Quickly put it back in your pocket, and leave the store.
 - “I don’t want my ID to be scanned”
 - “I don’t want to be tracked”
- If the clerk becomes angry, immediately leave the store.
- If the clerk confronts or threatens to call the police, the supervisor should show them the letter in the packet.



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DATA COLLECTION FORM 

Store ID: «Route_ID_»
 Contracted Organization: «Contracted_Org»

YOUNG ADULT TOBACCO PURCHASE SURVEY
DATA COLLECTION FORM

Product: «Product_Ask»

Survey Date ____/____/____ Store Name «Store_Name»
 Survey Time ____ am / pm Address «Street_Address»
 Supervisor ID _____ City «City» Zip Code «Zip»
 Investigator ID _____

1. Type of Store (choose only one!):



<input type="checkbox"/> Gas station (only) [1]	<input type="checkbox"/> Liquor [8]
<input type="checkbox"/> Convenience (w/gas) [2]	<input type="checkbox"/> Discount [7]
<input type="checkbox"/> Convenience (w/o gas) [3]	<input type="checkbox"/> Drug / Pharmacy [8]
<input type="checkbox"/> Independent market [4]	<input type="checkbox"/> Deli / Meat / Produce [9]
<input type="checkbox"/> Supermarket [5]	<input type="checkbox"/> Other [10] _____

2. Were you able to conduct survey?

Yes [1] No (Go to 2a) [0]

2a. Reason: Out of business [1] Couldn't find [2] No tobacco [3] Unsafe [4] 21 and over sign [5]
 Fee required [6] Other _____ [7]

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DATA COLLECTION FORM  

3. Was a **STAKE Act** sign posted near the register?
 Yes [1] No [0]

4. When you tried to buy a tobacco or e-cigarette/electronic vaping device product, **did the clerk ask for your age?** Yes (Go to 4a) [1] No (Go to 5) [0]

4a. Did you say you were 21 or older?
 Yes [1] No [0]

5. When you tried to buy a tobacco or e-cigarette/electronic vaping device product, **were you asked to show your ID?** Yes [1] No [0]

6. Was a sale made?
 Yes (Go to 6a) [1] No (Go to 7) [0]

6a. Which **type** of product did you purchase?
 Tobacco [1] E-cigarette/electronic vaping device [2]

6b. What was the **price** of the product purchased? \$ _____



6c. What **brand** did you purchase?

7. Did anything about the store visit surprise you? Any additional comments?


The State of California Promotes a Tobacco Smoke 21 Age
 to Protect our Vulnerable Tobacco Users. Call
1-800-5-ASK-4-ID
 Your Satisfaction May Be Guaranteed

This section of form to be filled out immediately, once investigator returns to the car.

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CLERK'S QUESTIONS / COMMENTS  

- How old are you?
- What flavor do you want?
- Let me see your ID.
- We don't carry that kind.
- What's your date of birth?
- You are too young to buy these products.
- Do you want a receipt?
- Do you want a bag?

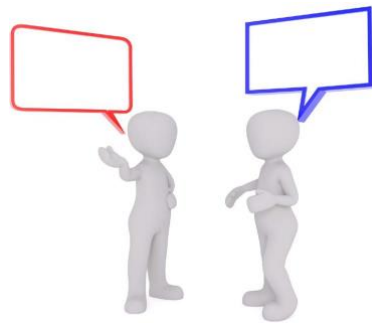


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ROLE PLAY



Ask for tobacco products in a realistic manner
Do not try to act or look younger or older than your age



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QUESTIONS?



- Review product examples
- Review store lists
- Did everyone sign in?
- Tentative timeline for return & debrief



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CONTACT INFORMATION



Contractors:

Please contact your Contracting Officer's Representative (COR) if you have any questions:

- Irene Linayao-Putman - Irene.Linayao-Putman@sdcounty.ca.gov
- Aaron De Leon - Aaron.DeLeon@sdcounty.ca.gov



Appendix B – Young Adult Tobacco Purchase Survey Data Collection Form



YOUNG ADULT TOBACCO PURCHASE SURVEY DATA COLLECTION FORM

Store ID: «Route_ID_»
 Contracted Organization: «Contracted_Org»

Product: «Product_Ask»

Survey Date _____ / _____ / _____	Store Name «Store_Name»
Survey Time _____ am / pm	Address «Street_Address»
Supervisor ID _____	City «City» Zip Code: «Zip»
Investigator ID _____	

1. Type of Store (choose only one!):

- Gas station (only) [1]
- Convenience (w/gas) [2]
- Convenience (w/o gas) [3]
- Independent market [4]
- Supermarket [5]
- Liquor [6]
- Discount [7]
- Drug / Pharmacy [8]
- Deli / Meat / Produce [9]
- Other [10] _____

2. Were you able to conduct survey?

- Yes [1] No (Go to 2a) [0]
- 2a. Reason:** Closed [1] Couldn't find [2] No tobacco [3] Unsafe [4]

3. Was a STAKE Act sign posted near the register?

- Yes [1] No [0]



4. When you tried to buy a tobacco or e-cigarette/electronic vaping device product, did the clerk ask for your age?

- Yes (Go to 4a) [1] No (Go to 5) [0]

4a. Did you say you were 21?

- Yes [1] No [0]

5. When you tried to buy a tobacco or e-cigarette/electronic vaping device product, were you asked to show your ID?

- Yes [1] No [0]

6. Was a sale made?

- Yes (Go to 6a) [1] No (Go to 7) [0]

6a. Which type of product did you purchase?

- Tobacco [1] E-cigarette/electronic vaping device [2]

6b. What was the price of the product purchased? \$ _____

6c. What brand did you purchase?

7. Did anything about the store visit surprise you? Any additional comments?
