

# ANNUAL SYNAR REPORT

42 U.S.C. 300x-26

**OMB No 0930-0222**

FFY 2010

State: |Guam|



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Substance Abuse and Mental Health Services Administration  
Center for Substance Abuse Prevention  
[www.samhsa.gov](http://www.samhsa.gov)

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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 SAPT Block Grant (45 C.F.R. 96.130 (e)).

Public reporting burden for the collection of information is estimated to average 15 hours for Section I and 3 hours for Section II, including the time for reviewing instructions, completing and reviewing the collection of information, searching existing data sources, and gathering and maintaining the data needed. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to SAMHSA Reports Clearance Officer; Paperwork Reduction Project; 1 Choke Cherry Road, 7th Floor Rockville, Maryland 20857.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control number for this project is 0930-0222 with an expiration date of 10-31-2010.

### **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 tobacco access laws (FFY 2009 Compliance Progress) and future plans to ensure compliance with the Synar requirements to reduce youth tobacco access rates (FFY 2010 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 on-site technical assistance consultation.

### **How the Synar report can help States**

The information gathered for the Synar report can help States describe and analyze sub-State 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 tobacco access laws when aggregated statistical data from State Synar reports can demonstrate to the Secretary the national progress in reducing youth 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 tobacco access laws.

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<sup>1</sup>The term State is used to refer to all the States and territories required to comply with Synar as part of the Substance Abuse Prevention and Treatment Block Grant Program requirements (42 U.S.C. 300x-64 and 45 C.F.R. 96.121).

## Getting assistance in completing the Synar report

If you have questions about programmatic issues, you may call CSAP's Division of State Programs at (240) 276-2413 and ask for your respective State Project Officer, or contact your State Project Officer directly by telephone or e-mail using the directory provided in the FY 2010 Uniform Application, Appendix A. If you have questions about fiscal or grants management issues, you may call the Grants Management Officer, Office of Program Services, Division of Grants Management, at (240) 276-1422.

## Where and when to submit the Synar report

The Annual Synar Report (ASR) must be received by SAMHSA no later than December 31, 2009. The ASR must be submitted in the **approved OMB report format**. 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 1 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 2010 Synar Survey Results: States that use the Synar Survey Estimation System (SSES) must upload one copy of SSES Tables 1-5 (in Excel) to WebBGAS. 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) 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.

Each State SSA Director has been e-mailed a login ID and password to log onto the Synar section of the WebBGAS site.

Additionally, the State must submit one signed original of the report (including the signed Funding Agreements/Certifications), as well as one additional copy of the signed Funding Agreements/Certifications, to the Grants Management Officer at the address below:

Ms. Barbara Orlando  
Grants Management Officer  
Office of Program Services  
Division of Grants Management  
Substance Abuse and Mental Health Services Administration

### Regular Mail:

1 Choke Cherry Road, Rm.7-1091  
Rockville, Maryland 20857

### Overnight Mail:

1 Choke Cherry Road, Rm.7-1091  
Rockville, Maryland 20850

## FFY 2010: 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 AMMENDMENT**

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 2010 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 2010 is up-to-date and approved by the Center for Substance Abuse Prevention.

**State:** Guam

**Name of Chief Executive Officer or Designee:** Dr. David L.G. Shimizu

**Signature of CEO or Designee:**

**Title:** Director

**Date Signed:**

**If signed by a designee, a copy of the designation must be attached.**

## SECTION I: FFY 2009 (Compliance Progress)

### YOUTH 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 18.

**1. Please indicate any changes or additions to the State tobacco statute(s) relating to youth access since the last reporting year. If any changes were made to the State law(s) since the last reporting year, please attach a photocopy of the law to the hard copy of the ASR and also 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?**

Yes  No

*If Yes, current minimum age:*  19  20  21

**b. Have there been any changes in State law that impact the State's *protocol for conducting Synar inspections*?  Yes  No**

*If Yes, indicate change. (Check all that apply.)*

Changed to require that law enforcement conduct inspections of tobacco outlets

Changed to make it illegal for youth to possess, purchase or receive tobacco

Changed to require ID to purchase tobacco

Other change(s) *(Please describe.)* \_\_\_\_\_

**c. Have there been any changes in the law concerning *vending machines*?**

Yes  No

*If Yes, indicate change. (Check all that apply.)*

Total ban enacted

Banned from location(s) accessible to youth

Locking device or supervision required

Other change(s) *(Please describe.)* \_\_\_\_\_

**d. Have there been any changes in State law that impact the following?**

Licensing of tobacco vendors  Yes  No

Penalties for sales to minors  Yes  No

**2. Describe how the Annual Synar Report (see 45 C.F.R. 96.130(e)) and the State Plan (see 42 U.S.C. 300x-51) were made public within the State prior to submission of the ASR. (Check all that apply.)**

Placed on file for public review

Posted on a State agency Web site *(Please provide exact Web address.)*

<http://www.peaceguam.org>

- Notice published in a newspaper or newsletter
  - Public hearing
  - Announced in a news release, a press conference, or discussed in a media interview
  - Distributed for review as part of the SAPT Block Grant application process
  - Distributed through the public library system
  - Published in an annual register
  - Other change(s) *(Please describe.)* Published in the Guam Substance Abuse Epidemiological Profile updated annually.
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**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:**

Department of Mental Health and Substance Abuse

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Has this changed since last year's Annual Synar Report?  Yes  No

**b. The State agency(ies) responsible for conducting random, unannounced Synar inspections:**

The Departments of Mental Health and Substance Abuse and Revenue and Taxation. Both agencies are responsible for jointly conducting random, unannounced Synar inspections. Both agencies are responsible for this function according to the Guam P.L. No. 24-278, Section 6120, Enforcement states: The primary responsibility for enforcement of the Chapter shall be the Department of Revenue and Taxation (DRT) in cooperation with the Department of Mental Health and Substance Abuse (DMHSA). Team inspections are coordinated and conducted jointly as well as merchant and community education.

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Has this changed since last year's Annual Synar Report?  Yes  No

**c. The State agency(ies) responsible for enforcing youth tobacco access law(s):**

Department of Revenue and Taxation

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Has this changed since last year's Annual Synar Report?  Yes  No

**4. Identify the State agency(ies) responsible for tobacco prevention activities.**

Department of Mental Health and Substance Abuse (DMHSA) and Department of Public Health and Social Services (DPHSS)

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Has the responsible agency changed since last year's Annual Synar Report?

Yes  No

**a. Describe the coordination and collaboration that occur between the agency responsible for tobacco prevention and the agency responsible for oversight of the Synar requirements. (Check all that apply.) The two agencies**

Are the same

Have a formal written memorandum of agreement

- Have an informal partnership
- Conduct joint planning activities
- Combine resources
- Have other collaborative arrangement(s) *(Please describe.)* The Department of Mental Health and Substance Abuse (DMHSA) and the Department of Public Health and Social Services (DMHSA) are represented on the Governor of Guam's (SPF-SIG Council) Prevention and Early Intervention Advisory Community Empowerment (PEACE), the Guam State Epidemiological Work Group, and assist in the conduct of annual random, unannounced Synar inspections as members of the site inspection teams. Both agencies (DMHSA and DPHSS) are involved in the Coalition for a Tobacco-Free Guam, currently co-led by the American Cancer Society and DPHSS.

**5. Please answer the following questions regarding the State's activities to enforce the youth access to tobacco law(s) in FFY 2009 (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130(e)).**

**a. Which one of the following describes the enforcement of youth access to tobacco laws carried out in your State? (Check one category only.)**

- Enforcement is conducted exclusively by local law enforcement agencies.
- Enforcement is conducted exclusively by State agency(ies).
- Enforcement is conducted by both local and State agencies.

**b. The following items concern penalties imposed for violations of youth access to tobacco laws by LOCAL AND/OR STATE LAW ENFORCEMENT AGENCIES. 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 <u>citations issued</u>	29	0	29
Number of <u>finest assessed</u>	29	0	29
Number of <u>permits/licenses suspended</u>	0		0
Number of <u>permits/licenses revoked</u>	0		0
Other <i>(Please describe.)</i>	0	0	0

**c. What additional activities are conducted in your State to support enforcement and compliance with State tobacco access law(s)? (Check all that apply.)**

- Merchant education and/or training
- Incentives for merchants who are in compliance (e.g., reward and reminder)
- Community education regarding youth access laws
- Media use to publicize compliance inspection results

Community mobilization to increase support for retailer compliance with youth access laws

Other activities (*Please list.*)

- 1) Other activities in preventing youth access, use and possession of tobacco: Youth Leadership and Development – annual workshops, conferences and other prevention related programs that facilitate youth empowerment:
  - a) 2009 Annual Youth For Youth Conference – 350-400 participants from middle and high school, throughout Guam and neighboring islands
  - b) 2009 Annual Summer Youth Swimming and Water Safety Instruction Program – 200 youth between the ages 5 to 15 years old.
  - c) Kick Butts Day – Annual national celebration of youth advocacy, leadership, and activism in the fight against tobacco – island wide celebration.
  - d) Relay for Life (American Cancer Society) –island wide celebration (all ages).
- 2) Oral presentations of Guam Synar activities at the local, national, regional, and international tobacco conferences, and the publication and inclusion of Synar annual compliance results in the Guam Substance Abuse Epidemiological Profile.
- 3) Establishment of “GovGuam Workplaces Now Tobacco-Free” – Executive Order No. 2007-18 mandates all Government of Guam workplaces be tobacco free effective Jan. 1, 2008. Governor Camacho and Lt. Governor Cruz signed Executive Order No. 2007-18, mandating all government of Guam workplaces be tobacco-free as part of their commitment to create a healthy, comfortable and productive work environment for all employees, residents, and visitors. This is in line with the Administration’s Healthy Guam Initiative. This policy correlates with Guam P.L. 28-80, the Natasha Protection Act, which regulates smoking to protect the health of employees and patrons of Guam’s establishments.
- 4) In 2007, Guam’s stakeholders meet at a 1st year community strategic planning workshop and assessed the island community’s readiness for tobacco control, and identified strategic directions for future work in the areas of tobacco control policy, programs, partnerships, and research and data. Forty-five (45) community stakeholders participants representing the prevention and health, education, youth, faith communities, community groups, mayor's offices, law enforcement, and private businesses. This workshop was conducted by Health Partners, LLC under a grant from APPEAL (Asia-Pacific Partners for Empowerment, Advocacy and Leadership) and CDC.
- 5) In 2008, Health Partners, L.L.C. conducted a 2nd year community strategic planning workshop to build upon earlier community efforts to address the tobacco epidemic on Guam in a strategic and coordinated manner, through mapping current tobacco control activities on the island and to develop a unified 3-year Strategic Plan of Action for tobacco control. This workshop is funded under a grant from APPEAL (Asia-Pacific Partners for Empowerment, Advocacy and Leadership) and CDC.
- 6) The Department of Mental Health and Substance Abuse, Prevention and Training Branch conducts year-round tobacco cessation programs utilizing a locally

produced Brief Intervention Training DVD. The Department of Public Health and Social Services offers free counseling through the Tobacco Cessation Quitline, 1-800-QUIT-NOW (784-8669) and free medication as long as funds are available. All government of Guam employees and communities are encouraged to take advantage of the FREE tobacco cessation resources that are available in the community.

7) Guam's Facts Sheets on Tobacco have been updated and disseminated to Guam's tobacco retailers and thru various community outreach activities including the Basic Tobacco Intervention Skills Certification.

8) In December 2007, produced two PSAs to promote the Guam Tobacco QuitLine and the development of media materials to promote Executive Order 2007-18, which mandates all Government of Guam workplaces be tobacco-free effective Jan. 1, 2008.

9) On March 19, 2008, 18 coalition representatives attended a three hours training on media including data driven mass media campaigns, social marketing and awareness on tobacco advertising and sponsorships.

10) Piloted an evidence-based program called "Positive Actions" during the 2008 annual Summer Youth Swimming and Water Safety Instruction Program. About 200+ participants between the 5 to 15 years old received training to include activities that address tobacco prevention among youth.

11) DMHSA staff conducted alcohol and tobacco awareness and prevention presentations to 225 students ages 6-7, teachers and school aides, at a public elementary school.

12) DMHSA collaborated with the Department of Public Health and Social Services, U.S. Naval Hospital, and the Guam Public School System (GPSS) representatives to train 18 participants from GPSS (teachers, counselors, nurses) on Basic Tobacco Cessation Intervention Skill Certification. Community organizations whose proposal in response to PEACE RFP were selected, and invited to attend this training, they will be part of Guam's referral network for tobacco cessation.

13) DMHSA works with the American Cancer Society on Guam, which leads the Coalition for a Tobacco-Free Guam that focuses on policy advocacy. This coalition is composed of over ten organizations and government agencies.

14) In addition, to the Coalition for a Tobacco-Free Guam, DMHSA continues to work collaboratively with several international organizations concerning tobacco control, such as the World Health Organization, Asian Pacific Partners for Empowerment, Advocacy and Leadership which has provided training on tobacco control leadership; and National Asian Pacific American Families Against Substance Abuse.

15) Throughout the entire year (from Oct. 2008 thru Sept. 2009), DMHSA's Prevention and Training Branch ran a culturally competent substance abuse prevention educational mass media campaign via radio PSA's & TV Ads, radio TV talk shows, newspapers and magazine articles, website updates and resource exhibits displays including the promotion of the following:

a) Red Ribbon Week (October)

- b) Breast Cancer Awareness Month (October)
- c) Great American Smoke-out / Thanksgiving Holiday (November)
- d) American Heart Month (Feb)
- e) National Inhalant & Poisons Awareness Week (March)
- f) American Diabetes Alert Day (March)
- g) Annual Youth for Youth Conference (April)
- h) World No Tobacco Day (May)
- i) National Drug Court Month (May)
- j) Annual Summer Youth Swimming and Water Safety Instruction Program (June)
- k) Annual Guam Liberation Day (July)
- l) Back to School (August)
- m) Recovery Month (September)
- n) Third Annual PEACE Conference (September)

*Briefly describe all checked activities:*

- **Merchant Education:** DMHSA provides merchant education materials to new licensees, at the time of license renewal, and during the Synar inspections. A new Tobacco Merchant Education Packet was developed and distributed during the September 2009 tobacco inspection. The packet consist of Important Facts, Helpful Tips, What Merchants Need to Know, What Employees Need to Know, Federal and State Law, and “We Check ID” signs. Some merchants request continued training especially if violations occur/re-occur. The Prevention and Training Branch’s strategic plan for 2005-2010, include goals to enhance tobacco vendor compliance and reduce the availability of tobacco to youth. The Branch continues to provide training for some chain stores.
- **Incentives for Merchants in Compliance:** After each individual Synar inspection taking place where No Sale occurred, the Enforcement Officer Team member will issue a “Certificate of Compliance” signed by both the Directors of the Department of Revenue and Taxation and the Department of Mental Health and Substance Abuse.
- **Community Education Regarding Youth Access Laws:** Guam’s PEACE Project (SPF-SIG) sub-grantees, four community-based coalitions comprised of community organizations (non-profit, youth, government and faith-based) and government agencies have joined and committed to engage in the SPF process to address tobacco among youth and adult as a priority. Reducing youth retail access is also a component of the PEACE Project’s comprehensive strategic plan for 2006-2010. DMHSA recruits youth as Synar inspectors thru a paid advertisement in the Pacific Daily News and from various organizations that service youth (e.g., Youth for Youth Organization).

- **Media Use for Publication of Inspection Results:** The Annual Synar Report results are published on the DMHSA’s Prevention and Training Branch website (<http://www.healthychoicesguam.org> ) after its completion and approval by CSAP. In September 2009, the 4<sup>th</sup> Annual PEACE (SPF-SIG) conference was held in conjunction with the Focus on Life (youth suicide prevention) to increase awareness in substance abuse and suicide prevention. A total of 277 participants that include 77 youth participants. Various workshops on substance abuse prevention and synar compliance updates were presented.

**d. Are citations or warnings issued to retailers or clerks who sell tobacco to minors for inspections that are part of the Synar survey?  Yes  No**

*If “Yes” to 5d, please describe the State’s procedure for minimizing risk of bias to the survey results from retailers alerting each other to the presence of the survey teams:*

For the last several years Guam conducted Synar survey inspections combined with enforcement efforts during which citations were issued to violators at the time of inspections. However, there can be potential biases, for example; vendors such as Mobil Gas Stations, Payless Supermarkets where they have one or two stores in each village, but these stores were targeted simultaneously during inspection.

### 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 2009 (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130).

**6. Has the sampling methodology changed from the previous year?  Yes  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.*

**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?  Yes  No**

*If Yes, attach SSES summary tables 1, 2, 3, and 4 to the hard copy of the ASR and upload a copy of SSES tables 1-5 (in Excel) to WebBGAS. Then go to Question 8. If No, continue to Question 7b.*

**b. Report the weighted and unweighted Retailer Violation Rate (RVR) estimates, and the standard error.**

**Unweighted RVR**

**0.090**

**Weighted RVR** 0.0898  
**Standard error (s.e.) of the (weighted) RVR** 0.0031

Fill in the blanks to calculate the **right limit** of the right-sided 95% confidence interval.

$$\frac{0.0898}{\text{RVR Estimate}} + \frac{(1.645 \times 0.0031)}{(1.645 \text{ times Standard Error})} = \frac{0.0948995}{\text{Right Limit}}$$

c. **Fill out Form 1 in Appendix A (Forms).** (Required regardless of the sample design.)

d. **How were the (weighted) RVR estimate and its standard error obtained?** (Check the one that applies.)

- Form 2 (Optional) in Appendix A (Forms) (Attach completed Form 2.)  
 Other (Please specify. Provide formulae and calculations or attach and explain the program code and output with description of all variable names.)

e. **If stratification was used, did any strata in the sample contain only one outlet or cluster this year?**  Yes  No  No stratification

If Yes, explain how this situation was dealt with in variance estimation.

f. **Was a cluster sample design used?**  Yes  No

If Yes, fill out and attach Form 3 in Appendix A (Forms 1–5), and answer the following question.

If No, go to Question 7g.

**Were any certainty primary sampling units selected this year?**  Yes  No

If Yes, explain how the certainty clusters were dealt with in variance estimation.

g. **Report the following outlet sample sizes for the Synar survey.**

	Sample Size
<b>Effective sample size</b> (sample size needed to meet the SAMHSA precision requirement assuming simple random sampling)	
<b>Target sample size</b> (the product of the effective sample size and the design effect)	

<b>Original sample size</b> (inflated sample size of the target sample to counter the sample attrition due to ineligibility and non-completion)	356
<b>Eligible sample size</b> (number of outlets found to be eligible in the sample)	336
<b>Final sample size</b> (number of eligible outlets in the sample for which an inspection was completed)	323

**h. Fill out Form 4 in Appendix A (Forms 1–5).**

**8. Did the State’s Synar survey use a list frame?**  **Yes**  **No**

*If Yes, answer the following questions about its coverage.*

**a. The calendar year of the latest frame coverage study:** DMHSA has never done a coverage study. DMHSA uses a census survey design for the Synar survey and attempts to inspect all eligible tobacco outlets annually. Currently, DMHSA and DRT is working collaboratively in making sure the list provided are accurate prior to the survey inspection.

**b. Percent coverage from the latest frame coverage study:** N/A

**c. Was a new study conducted in this reporting period?**  **Yes**  **No**

*If Yes, please complete Appendix D (List Sampling Frame Coverage Study) and submit it with the Annual Synar Report.*

**d. The calendar year of the next coverage study planned:** 2010

**9. Has the Synar survey inspection protocol changed from the previous year?**

**Yes**  **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.*

**a. Provide the inspection period: From** 09/19/09 **To** 09/26/09  
MM/DD/YY MM/DD/YY

**b. Provide the number of youth inspectors used in the current inspection year:**

13

NOTE: If the State uses SSES, please ensure that the number reported in 9b matches that reported in SSES Table 4, or explain any difference.

**c. Fill out and attach Form 5 in Appendix A (Forms 1–5).** *(Not required if the State used the Synar Survey Estimation System (SSES) to analyze the Synar survey data.)*

## SECTION II: FFY 2010 (Intended Use):

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

### 1. In the upcoming year, does the State anticipate any changes in the:

Synar sampling methodology  Yes  No

Synar inspection protocol  Yes  No

*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.*

### 2. Please describe the State's plans to maintain and/or reduce the target rate for Synar inspections to be completed in FFY 2010. Include a brief description of plans for law enforcement efforts to enforce youth tobacco access laws, activities that support law enforcement efforts to enforce youth tobacco access laws, and any anticipated changes in youth tobacco access legislation or regulation in the State.

- Guam will continue current law enforcement efforts and support activities.
- Continue to gather enhancement ideas from workgroup to address Synar and tobacco access and prevention planning.
- DMHSA continues to conduct training of all youth and adult inspectors prior to the day of the inspections held on September 17, 2009. Annual Synar team training is mandatory for new inspectors as well as experienced adult and youth inspectors. These protocols will continue to be adhered to in FY 2010.
- Guam will continue its educational and advocacy efforts to enhance awareness of its youth tobacco access laws and local policies that support effective tobacco control strategies. Guam also intends to continue its current practice of citing and applying the collection of fines to ensure compliance with the law.
- Guam will continue to strengthen collaboration among Synar partners that addresses all elements such as random, unannounced inspections, merchant education, community education, and enforcement.
- DMHSA Prevention and Training Branch's strategic plan for 2005-2010, includes goals to enhance tobacco vendor compliance and reduce the availability of tobacco to youth.
- Guam will continue to build community efforts to address the tobacco epidemic on Guam in a strategic and coordinated manner through mapping current tobacco control activities on the island and development of a unified 3-year (2008-2010) Strategic Plan of Action for tobacco control.

Any anticipated changes in youth tobacco access legislation or regulation in the State:

In October 2009, the Guam Legislature introduced Bill 101 relative to prohibiting smoking within 20 feet from any entrances to buildings where smoking is not permitted

and Bill 150, if enacted, will increase taxes on tobacco, making a pack of cigarettes cost to \$5 per pack. Through these Environmental policy efforts, Guam will definitely make a measurable impact on youth tobacco use in Guam.

**3. Describe any challenges the State faces in complying with the Synar regulation. (Check all that apply.)**

- Limited resources for law enforcement of youth access laws
- Limited resources for activities to support enforcement and compliance with youth tobacco access laws
- Limitations in the State youth tobacco access laws
- Limited public support for enforcement of youth tobacco access laws
- Limitations on completeness/accuracy of list of tobacco outlets
- Limited expertise in survey methodology
- Laws/regulations limiting the use of minors in tobacco inspections
- Difficulties recruiting youth inspectors
- Geographic, demographic, and logistical considerations in conducting inspections
- Cultural factors (e.g., language barriers, young people purchasing for their elders)
- Issues regarding sources of tobacco under tribal jurisdiction
- Other challenges (*Please list.*) The issue of youth access through non-commercial sources. Data from Guam's 2002 Youth Tobacco Survey (YTS) revealed that majority of Guam's youth obtain their cigarettes from non-commercial sources; access to military installations.

*Briefly describe all checked challenges and propose a plan for each, or indicate the State's need for TA related to each relevant challenge.*

Guam faces some challenges in complying with the SYNAR regulation:

- **Limited resources for law enforcement of youth access laws:** The number of enforcement personnel is extremely limited within the Department of Revenue and Taxation. To address this issue, the Department of Mental Health and Substance Abuse (DMHSA) is currently looking into efforts to expand the number of enforcement officers through various means such as deputizing other government personnel that regularly take part in the yearly enforcement and compliance efforts and/or forming partnerships with other Guam law enforcement agencies (Guam Police Department, Guam Customs and Quarantine Agency, etc.)
- **Limited resources for activities to support enforcement and compliance with youth tobacco access laws:** To address this issue, DMHSA is working with the Guam Legislature and the Department of Revenue and Taxation to utilize the monies collected from fines associated with violations of Guam's youth access and tobacco vendor laws as well as proposed increase in tobacco taxes to support enforcement and compliance with youth tobacco access laws as well as tobacco control and prevention.
- **Limited public support for enforcement of youth tobacco access laws:** To address this issue, DMHSA has implemented a mass media campaign that includes raising

awareness on tobacco prevention and control.

- **Limitations on completeness/accuracy of list of tobacco outlets:** The official list of Guam's tobacco outlets is still being worked on for complete accuracy, since the FFY 2009 inspection. One of the issue is the difficulty to locate the physical addresses of some of the listed tobacco outlets, however, the Guam Bureau of Land Management is currently developing an updated map of Guam which may prove useful in future Synar inspections. A coverage study is also being planned for in 2010 to determine the accuracy of Guam's listframe.
- **Limited expertise in survey methodology:** DMHSA would like to request for and coordinate with CSAP to receive TA on survey methodology in regards to the current practice of using a census survey as well as conducting a coverage study.
- **Laws/regulations limiting the use of minors in tobacco inspections:** In accordance with Guam Public Law, DMHSA in previous years has been able to use minors aged 12 to 17 years to conduct Synar inspections. However, a CSAP regulation required the use of only minors aged 15 to 17. Guam has complied and will continue to comply with this regulation that limits the age requirements of minors used in inspections.
- **Difficulties recruiting youth inspectors:** Guam actively attempts to recruit youth that will provide a balanced distribution relative to age and gender as well as youth that reflect and are proportionate to Guam's ethnic population. To address this issue and assist in recruitment of youth inspectors, DMHSA networks with established youth community organizations. DMHSA also advertises in Guam's local newspapers to announce the recruitment of youth inspectors.
- **Geographic, demographic, and logistical considerations in conducting inspections:** Because of periodic natural disasters such as typhoons, many street signs are non-existent, making identification of minor streets problematic. To address this issue, DMHSA is currently working with the Bureau of Statistics and Plans as well as the Department of Revenue and Taxation to accurately map out the locations of tobacco vendors on Guam. A significant proportion of tobacco store owners are Korean, Vietnamese, and Chinese, and occasionally, language barriers are encountered. To address this issue, DMHSA will pursue the use of language translators to translate our vendor education materials to be more linguistically appropriate given the diverse ethnic backgrounds of local store owners. In addition, Guam's public agencies have no jurisdiction and access to tobacco vendors inside military installations; thus these establishments are not inspected for compliance. The federal government has oversight on all military installations and it has proven to be difficult to gain access to vendors located in military bases. To address this issue, dialogue must be initiated between the Government of Guam and the federal government to discuss this issue further.
- **Cultural factors (e.g., language barriers, young people purchasing for their elders):** As a small island, many Guam residents are known to each other. This has resulted in numerous situations where either the youth inspector and/or the adult inspector and compliance officer is recognized by the tobacco vendor. In this case, the compliance check of that particular outlet is suspended. In order to address this issue and as part of DMHSA protocol, should time permit on the day of inspection, another

team may visit that particular outlet to continue the compliance check. Also, it is not an uncommon practice in many villages for adults to direct children to buy cigarettes for them. To address this issue, DMHSA has implemented a mass media campaign that includes raising awareness on tobacco prevention and control which includes targeting local practices as described above.

- Other challenges - The issue of youth access through non-commercial sources. Data from Guam's 2002 Youth Tobacco Survey (YTS) revealed that a majority of Guam's youth obtain their cigarettes from non-commercial sources. In order to address this issue, DMHSA has implemented a mass media campaign that includes raising awareness on tobacco prevention and control. DMHSA, through Guam's Strategic Prevention Framework State Incentive Grant, is also funding community coalitions to implement evidence-based programs that target youth tobacco use. Through these efforts, DMHSA hopes to decrease the availability of tobacco through non-commercial sources.

## 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)

Complete Form 1 to report sampling frame and sample information and to calculate the unweighted retailer violation rate using results from the current year's Synar survey inspections.

**Instructions for Completing Form 1:** In the top right hand corner of the form, provide the State name and reporting Federal fiscal year (FFY 2010). Provide the remaining information by stratum if stratification was used. Make copies of the form if additional rows are needed to list all the strata.

Column 1: *If stratification was used:*

1(a) Sequentially number each row.

1(b) Write in the name of each stratum. All strata in the State must be listed.

*If no stratification was used:*

1(a) Leave blank.

1(b) Write "State" in the first row (indicates that the whole state is a single stratum).

*Note for unstratified samples: for columns 2-5, wherever the instruction refers to "each stratum," report the specified information for the State as a whole.*

Column 2: 2(a) Report the number of over-the-counter (OTC) outlets in the sampling frame in each stratum.

2(b) Report the number of vending machine (VM) outlets in the sampling frame in each stratum.

2(c) Report the combined total of OTC and VM outlets in the sampling frame in each stratum.

Column 3: 3(a) Report the estimated number of eligible OTC outlets in the OTC outlet population in each stratum.

3(b) Report the estimated number of eligible VM outlets in the VM outlet population in each stratum.

3(c) Report the combined total estimated number of eligible OTC and VM outlets in the total outlet population in each stratum.

*The estimates for Column 3 can be obtained from the Synar survey sample as the weighted sum of eligible outlets by outlet type.*

Column 4: 4(a) Report the number of eligible OTC outlets for which an inspection was completed, for each stratum.

4(b) Report the numbers of eligible VM outlets for which an inspection was completed, for each stratum.

4(c) Report the combined total of eligible OTC and VM outlets for which an inspection was completed, for each stratum.

Column 5: 5(a) Report the number of OTC outlets found in violation of the law as a result of completed inspections, for each stratum.

5(b) Report the number of VM outlets found in violation of the law as a result of completed inspections, for each stratum.

5(c) Report the combined total of OTC and VM outlets found in violation of the law as a result of completed inspections, for each stratum.

Totals: For each sub-column (a-c) in Columns 2-5, provide totals for the State as a whole in the last row of the table. These numbers will be the sum of the numbers in each row for the respective column.



## **FORM 2 (Optional)**

### **Appropriate for stratified simple or systematic random sampling designs.**

Complete Form 2 to calculate the weighted RVR. This table (in Excel form) is designed to calculate the weighted RVR for stratified simple or systematic random sampling designs, accounting for ineligible outlets and non-complete inspections encountered during the annual Synar survey.

**Instructions for Completing Form 2:** In the top right hand corner of the form, provide the State name and reporting Federal fiscal year (FFY 2010).

- Column 1: Write in the name of each stratum into which the sample was divided. These should match the strata reported in Column 1(b) of Form 1.
- Column 2: Report the number of outlets in the sampling frame in each stratum. These numbers should match the numbers reported for the respective strata in Column 2(c) of Form 1.
- Column 3: Report the original sample size (the number of outlets originally selected, including substitutes or replacements) for each stratum.
- Column 4: Report the number of sample outlets in each stratum that were found to be eligible during the inspections. Note that this number must be less than or equal to the number reported in Column 3 for the respective strata.
- Column 5: Report the number of eligible outlets in each stratum for which an inspection was completed. Note that this number must be less than or equal to the number reported in Column 4. These numbers should match the numbers reported in Column 4(c) of Form 1 for the respective strata.
- Column 6: Report the number of eligible outlets inspected in each stratum that were found in violation. These numbers should match the numbers reported in Column 5(c) of Form 1 for the stratum.
- Column 7: Form 2 (in Excel form) will automatically calculate the stratum RVR for each stratum in this column. This is calculated by dividing the number of inspected eligible outlets found in violation (Column 6) by the number of inspected eligible outlets (Column 5). The State unweighted RVR will be shown in the Total row of Column 7.
- Column 8: Form 2 (in Excel form) will automatically calculate the estimated number of eligible outlets in the population for each stratum. This calculation is made by multiplying the number of outlets in the sampling frame (Column 2) times the number of eligible outlets (Column 4) divided by the original sample size (Column 3). Note that these numbers will be less than or equal to the numbers in Column 2.
- Column 9: Form 2 (in Excel form) will automatically calculate the relative stratum weight by dividing the estimated number of eligible outlets in the population for each stratum in Column 8 by the Total of the values in Column 8.
- Column 10: Form 2 (in Excel form) will automatically calculate each stratum's contribution to the State weighted RVR by multiplying the stratum RVR (Column 7) by the relative stratum weight (Column 9). The weighted RVR for the State will be shown in the Total row of Column 10.
- Column 11: Form 2 (in Excel form) automatically calculates the standard error of each stratum's RVR (Column 7). The standard error for the State weighted RVR will be shown in the Total row of Column 11.
- TOTAL:** For Columns 2-6, Form 2 (in Excel form) provides totals for the State as a whole in the last row of the table. For Columns 7-11, it calculates the respective statistic for the State as a whole.

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

<b>Calculation of Weighted Retailer Violation Rate</b>										
										<b>State: Guam</b>
										<b>FFY: 2010</b>
(1) Stratum Name	(2) N Number of Outlets in Sampling Frame	(3) n Original Sample Size	(4) n1 Number of Sample Outlets Found Eligible	(5) n2 Number of Outlets Inspected	(6) x Number of Outlets Found in Violation	(7) p=x/n2 Stratum Retailer Violation Rate	(8) N'=N(n1/n) Estimated Number of Eligible Outlets in Population	(9) w=N'/Total Column 8 Relative Stratum Weight	(10) pw Stratum Contribution to State Weighted RVR	(11) s.e. Standard Error of Stratum RVR
State	356	356	336	323	29	0.090	336.00	1.00000	0.0898	0.0031
<b>Total</b>	<b>356</b>	<b>356</b>	<b>336</b>	<b>323</b>	<b>29</b>	<b>0.090</b>	<b>336</b>	<b>1.00000</b>	<b>0.0898</b>	<b>0.0031</b>

- N - number of outlets in sampling frame
- n - original sample size (number of outlets in the original sample)
- n1 - number of sample outlets that were found to be eligible
- n2 - number of eligible outlets that were inspected
- x - number of inspected outlets that were found in violation
- p - stratum retailer violation rate (p=x/n2)
- N' - estimated number of eligible outlets in population (N'=N\*n1/n)
- w - relative stratum weight (w=N'/Total Column 8)
- pw - stratum contribution to the weighted retailer violation rate
- s.e. - standard error of the stratum RVR

**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.)**

Complete Form 3 to report information about primary sampling units when a cluster design was used for the Synar survey.

**Instructions for Completing Form 3:** In the top right hand corner of the form, provide the State name and reporting Federal fiscal year (FFY 2010).

Provide information by stratum if stratification was used. Make copies of the form if additional rows are needed to list all the strata.

Column 1: Sequentially number each row.

Column 2: *If stratification was used:* Write in the name of stratum. All strata in the State must be listed.

*If no stratification was used:* Write “State” in the first row to indicate that the whole state constitutes a single stratum.

Column 3: Report the number of primary sampling units (PSUs) (i.e., first-stage clusters) created for each stratum.

Column 4: Report the number of PSUs selected in the original sample for each stratum.

Column 5: Report the number of PSUs in the final sample for each stratum.

TOTALS: For Columns 3-5, provide totals for the State as a whole in the last row of the table.

<b>Summary of Clusters Created and Sampled</b>				
<b>State: <u>Guam</u></b>				
<b>FFY: <u>2010</u></b>				
(1) Row #	(2) Stratum Name	(3) Number of PSUs Created	(4) Number of PSUs Selected	(5) Number of PSUs in the Final Sample
<b>Total</b>				

**FORM 4 (Required for all States not using the Synar Survey Estimation System (SSES) to analyze the Synar Survey data)**

Complete Form 4 to provide detailed tallies of ineligible sample outlets by reasons for ineligibility and detailed tallies of eligible sample outlets with noncomplete inspections by reasons for noncompletion.

**Instructions for Completing Form 4:**

In the top right hand corner of the form, provide the State name and reporting Federal fiscal year (FFY 2010).

Column 1(a): Enter the number of sample outlets found ineligible for inspection by reason for ineligibility. Provide the total number of ineligible outlets in the row marked **“Total.”**

Column 2(a): Enter the number of eligible sample outlets with noncomplete inspections by reason for noncompletion. Provide the total number of eligible outlets with noncomplete inspections in the row marked **“Total.”**

<b>Inspection Tallies by Reason of Ineligibility or Noncompletion</b>			
		<b>State:</b> Guam	
		<b>FFY:</b> 2010	
<b>(1) INELIGIBLE</b>		<b>(2) ELIGIBLE</b>	
<b>Reason for Ineligibility</b>	<b>(a) Counts</b>	<b>Reason for Noncompletion</b>	<b>(a) Counts</b>
Out of business	2	In operation but closed at time of visit	10
Does not sell tobacco products	6	Unsafe to access	0
Inaccessible by youth	6	Presence of police	0
Private club or private residence	0	Youth inspector knows salesperson	0
Temporary closure	1	Moved to new location	1
Unlocatable	5	Drive thru only/youth inspector has no driver's license	0
Wholesale only/Carton sale only	0	Tobacco out of stock	2
Vending machine broken	0	Run out of time	0
Duplicate	0	Other noncompletion reason(s) ( <i>Describe.</i> )	
Other ineligibility reason(s) ( <i>Describe.</i> )			
<b>Total</b>	<b>20</b>	<b>Total</b>	<b>13</b>

**FORM 5 (Required for all States not using the Synar Survey Estimation System (SSES) to analyze the Synar survey data)**

Complete Form 5 to show the distribution of outlet inspection results by age and gender of the youth inspectors.

**Instructions for Completing Form 5:** In the top right hand corner of the form, provide the State name and reporting Federal fiscal year (FFY 2010).

Column 1: Enter the number of attempted buys by youth inspector age and gender.

Column 2: Enter the number of successful buys by youth inspector age and gender.

If the inspectors are age eligible but the gender of the inspector is unknown, include those inspections in the "OTHER" row. Calculate subtotals for males and females in rows marked SUBTOTALS. Sum SUBTOTALS for male, female, and OTHER and record in the bottom row marked TOTAL. Verify that that the TOTAL of attempted buys and successful buys equal the total for Column 4(c) and Column 5(c), respectively, on Form 1. If the totals do not match, please explain any discrepancies.

<b>Synar Survey Inspector Characteristics</b>		
		<b>State:</b> <u>Guam</u>
		<b>FFY:</b> <u>2010</u>
	(1) Attempted Buys	(2) Successful Buys
<b>Male</b>		
15 years	88	8
16 years	116	11
17 years	35	9
18 years		
<b>Male Subtotal</b>	<b>239</b>	<b>28</b>
<b>Female</b>		
15 years	19	0
16 years	18	0
17 years	31	1
18 years		
<b>Female Subtotal</b>	<b>68</b>	<b>1</b>
<b>Other</b>		
<b>Total</b>	<b>307</b>	<b>29</b>

## APPENDICES 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 appendices, therefore, should generally describe the design and protocol and 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).

## APPENDIX B: SYNAR SURVEY SAMPLING METHODOLOGY

State: Guam  
 FFY: 2010

**1. What type of sampling frame is used?**

- List frame (*Go to Question 2.*)
- Area frame (*Go to Question 3.*)
- List-assisted area frame (*Go to Question 2.*)

**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
Tobacco License List	3	Under Guam P.L. 24-278, a Vendor or Store must obtain a tobacco vendor license from the Department of Revenue and Taxation in order to sell tobacco products.	The owner of an establishment wishing to sell tobacco products must complete an initial tobacco license application at the Department of Revenue and Taxation. This license must be renewed annually.

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

- a. Is any area left out in the formation of the area frame?**  Yes  No

*If Yes, what percentage of the State’s population is not covered by the area frame?*  
 \_\_\_\_\_%

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

*If No, please indicate the reason they are not included in the Synar survey.*

- State law bans vending machines
- State law bans vending machines from locations accessible to youth
- State has SAMHSA approval to exempt vending machines from the survey
- Other (*Please describe.*) \_\_\_\_\_

5. Which category below best describes the sample design? (Check only one.)

**Census** (STOP HERE: Appendix B is complete.)

**Unstratified State-wide sample:**

- Simple random sample (Go to Question 9.)
- Systematic random sample (Go to Question 6.)
- Single-stage cluster sample (Go to Question 8.)
- Multi-stage cluster sample (Go to Question 8.)

**Stratified sample:**

- Simple random sample (Go to Question 7.)
- Systematic random sample (Go to Question 6.)
- Single-stage cluster sample (Go to Question 7.)
- Multi-stage cluster sample (Go to Question 7.)
- Other** (Please describe and go to Question 9.) \_\_\_\_\_

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.

a. Provide a full description of the strata that are created.

b. Is clustering used within the stratified sample?

- Yes** (Go to Question 8.)
- No** (Go to Question 9.)

8. Provide the following information about clustering.

a. Provide a full description of how clusters are formed. (If multi-stage clusters are used, give definitions of clusters at each stage.)

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.

9. Provide the formulae for determining the effective, target, and original outlet sample sizes.

## APPENDIX C: SYNAR SURVEY INSPECTION PROTOCOL

State: Guam

FFY: 2010

*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  Not Permitted  
 Permitted under specified circumstances  Not specified in protocol

#### b. Youth inspectors to carry ID?

- Required  Not Permitted  
 Permitted under specified circumstances  Not specified in protocol

#### c. Adult inspectors to enter the outlet?

- Required  Not Permitted  
 Permitted under specified circumstances  Not specified in protocol

#### d. Youth inspectors to be compensated?

- Required  Not Permitted  
 Permitted under specified circumstances  Not specified in protocol

### 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  
 Private contractor(s)  
 Other

List the agency name(s): The Department of Mental Health and Substance Abuse, the Department of Revenue and Taxation, the Youth for Youth Organization (NG), and Community volunteers.

### 3. Are Synar inspections combined with law enforcement efforts (i.e., do law enforcement issue warnings or citations to retailers found in violation of the law at the time of the inspection)?

- Always  Usually  Sometimes  Rarely  Never

**4. Describe the methods used to recruit, select, and train youth inspectors and adult supervisors.**

The methods used to recruit, select and train youth inspectors and adult supervisors are described in detail in Guam’s Manual of Procedures for Tobacco Vendors Inspection, which was developed by the Department of Mental Health and Substance Abuse specifically to guide the Synar inspection process.

**5. Are there specific legal or procedural requirements instituted by the State to address the issue of youth inspectors’ immunity when conducting inspections?**

**a. Legal**             **Yes**     **No** *(If Yes, please describe.)*

Section 6120 of Guam P.L. 24-278 specifically states that “Participation in these enforcement activities by a minor shall not constitute a violation of Section 6116 of this Chapter, and the minor is immune from prosecution or penalties thereunder, or under any other provision of law prohibiting the purchase of these products by minors”.

**b. Procedural**     **Yes**     **No** *(If Yes, please describe.)*

Guam’s Manual of Procedures includes a section on “Legal Considerations” which address issues related to confidentiality, protection of the minors’ identities, immunity for youth inspectors, and non-involvement of youth inspectors of legal proceedings arising from the inspection process.

**6. Are there specific legal or procedural requirements instituted by the State to address the issue of the safety of youth inspectors during all aspects of the Synar inspection process?**

**a. Legal**             **Yes**     **No** *(If Yes, please describe.)*

**b. Procedural**     **Yes**     **No** *(If Yes, please describe.)*

Guam’s Manual of Procedures emphasizes the importance of ensuring the safety of youth inspectors throughout the inspection process. Specifically, youth inspectors are instructed to never venture into any establishment where they may feel unsafe, and to retreat immediately if upon entry into a store, they have a reason to feel uncomfortable or unsafe. In addition, Guam’s Manual of Procedures makes it mandatory for adult inspectors to always be within the vicinity of a youth inspector during an attempted buy.

**7. Are there any other legal or procedural requirements the State has regarding how inspections are to be conducted (e.g., age of youth inspector, time of inspections,**

**training that must occur)?**

- a. Legal**             **Yes**     **No** (*If Yes, please describe.*)

Guam P.L. 24-278 Section 6120 outlines all of the legal requirements relating to the conduct of inspections, including the enlistment of youth inspectors from ages 12-17, the necessity for parental consent in writing, the right to use video recording equipment during inspections, the necessity to avoid entrapment by mandating all youth inspectors to answer truthfully when asked about their age, the need for adult supervision of all youth inspectors, and the role of the adult inspector in informing the vendor of non-compliance with the law only after the youth inspector has left the premises.

- b. Procedural**     **Yes**     **No** (*If Yes, please describe.*)

Guam's Manual of Procedures outlines in detail the requirements for inspection, consistent with the law and with recommended CSAP protocols. One item of note is that the Manual of Procedures prescribes the recruitment of youth inspectors' aged 14-17, consistent with Federal guidelines, although Guam's law allows for youth as young as 12 to participate.

## APPENDIX D: LIST SAMPLING FRAME COVERAGE STUDY

*(LIST FRAME ONLY)*

State: Guam  
FFY: 2010

1. Calendar year of the coverage study: \_\_\_\_\_

2. Percent coverage found: \_\_\_\_\_%

*(Provide calculation of the percent coverage.)*

3. Provide a description of the coverage study methods and results.

DMHSA and DRT worked collaboratively in obtaining updated vendor's physical locations prior to the September 2009 compliance inspections. TA is being coordinated with CSAP Project Officer for Guam to receive TA on survey methodology.