

Wendy Knight, Commissioner

State of Vermont Department of Liquor and Lottery 1311 US Route 302, Suite 100 Barre, VT 05641 Division of Liquor Control 802-828-2345 Division of Lottery 802-479-5686 www.liquorandlottery.vermont.gov

Members of the House Health and Human Services Committee,

As requested, please see attached a data brief of the information provided via testimony in your committee on January 10<sup>th</sup>, 2023.

# Act 27 (Tobacco 21):

The 3 years prior to enactment of Act 27, the compliance rate derived from the youth access minor compliance checks attempted yearly at all licensed establishments as required under 7 V.S.A. § 1007 was 91.31%

(Data obtained from the Department's projectR.A.B.I.T found on our website here: https://liquorcontrol.vermont.gov/enforcement)

projectR.A.B.I.T	τ	obacco C	Compliance Data		VERMONT
					Investigator:
6/19/2017 9/1/2019					All
00					
					Town/City
Count by Town					All
					County
68 64 58 57 56 56					
			19 19 18 18 17 17 16 16 16 5 3 5 5 5 5 4 4 5 5 1		Vear 2017 2018 2019 2019 Total Number of Checks
Burlingtor Burlingtor South Burn- Southered Barnteleore Barnteleore Barnteleore Matter Sortigleou Mannpeleo	St. Johnsburg Swentur Swentur Steek Junctorville Uyndorville Stowe Minorosk	Wihmington Vergenne Randolp Berli	Bandor Nonthfield Willistor Bellows Fall Handwich Ester Falr Harer Manchester C.	West Rullany Woodstroof Poultree South Here South Her Georgi Jarffest Waartiek	1901
T1 1' (000)			N / N	Compliance Rate	# of Establishments that did not Sell:
Tobacco Licensee (DBA)		pleted?	Date:	8.69%	181
Costco Vermont Liquors #314 02524001TOBC001 Colchester 05/01/2019	02524001TOBC001 No		Thursday, August 29, 2019		# of Establishments that did Sell:
Good Stuff of Essex 07877004TOBC001 Essex 05/01/2019	07877004TOBC001 No		Thursday, August 29, 2019		133
Jerusalem Corners Country Store	09468001TOBC001 No		Thursday, August 29, 2019	1-91.31%	A of Incompleted Crecks

The 3 years post enactment of Act 27, the compliance rate derived from the youth access minor compliance checks attempted yearly at all licensed establishments as required under 7 V.S.A. § 1007 was 90.19%







Globally since passage of Act 27, the compliance rate derived from the youth access minor compliance checks attempted yearly at all licensed establishments as required under 7 V.S.A. § 1007 is 90.2%

In the 3 years prior to the passage of Act 27, 284 Vermont Civil Violation Complaints of possession of tobacco products by minors, prohibited by 7 V.S.A. § 1005 were issued statewide to individuals under the age of 18.

(Data obtained from the Valcour CAD/RMS law enforcement records management system)

Issued At		$\diamond$ $\checkmark$
9/1/2017 🗰 9/1/2019 🛗		
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<u> </u>	$\bigcirc$	
Violation	Count of Violation	
{OLD} TOB - Possession Of Tobacco By Person Under 18 Years Of Age (No Permit/Licens	e) 9	
{OLD} TOB - Possession of tobacco by person under 18 years of age (no permit/license)	172	
CIG - Possession Of Tobacco By Person Under 18 Years Of Age (With Permit Or License )		
CIG - Possession of tobacco by person under 18 years of age (with permit or license)		
Total	284	





In the 3 years post passage, 156 Vermont Civil Violation Complaints of possession of tobacco products by minors, prohibited by 7 V.S.A. § 1005 were issued statewide to individuals under the age of 21.

Issued At		~
9/1/2019 🗰 9/1/2021 📾		
(	<u> </u>	$\bigcirc$
		$\bigcirc$
Violation	Count of Violation	
		-
(OLD) TOB - Possession Of Tobacco By Person Under 18 Years Of Age (No Permit/License)		-
(OLD) TOB - Possession Of Tobacco By Person Under 18 Years Of Age (No Permit/License) (OLD) TOB - Possession of tobacco by person under 18 years of age (no permit/license)	2	
Violation {OLD} TOB - Possession Of Tobacco By Person Under 18 Years Of Age (No Permit/License) {OLD} TOB - Possession of tobacco by person under 18 years of age (no permit/license) CIG - Possession Of Tobacco By Person Under 18 Years Of Age (With Permit Or License ) CIG - Possession of tobacco by person under 18 years of age (with permit or license)	2	
(OLD) TOB - Possession Of Tobacco By Person Under 18 Years Of Age (No Permit/License) (OLD) TOB - Possession of tobacco by person under 18 years of age (no permit/license) CIG - Possession Of Tobacco By Person Under 18 Years Of Age (With Permit Or License )	2 29 15	

## Act 22 (addition of substitutes to the delivery sales ban)

The Department of Liquor and Lottery does engage in some limited enforcement around the delivery sales ban, in partnership with the AGs office. Since the passage of Act 22, 383 successful attempts to purchase tobacco products online have been made and 221 sales resulted in the delivery of tobacco products into the State of Vermont. The compliance rate for this work is therefore 42.3%

(Data obtained from the Department's internal online compliance program)

Was Sale Completed?	Count	
No		162
Yes		221
Grand Total		383

### **Cost of Online Compliance**

While the department doesn't have immediate financial data on the cost per check of online tobacco compliance, it does have figures related to online alcohol compliance. During a recent pilot program collecting data on the online shipment of beverage alcohol into the state, the Department spent an average of \$141.22 per attempted purchase in global costs associated with that activity. More analysis would need to be conducted to determined how applicable this figure is for online compliance of tobacco products.





In closing, the Department stands ready to assist this committee with any other requests for information it might have.

Best Regards,

#### **Chief Skyler Genest**

### Senior Director of Licensee Operations

Vermont Department of Liquor and Lottery 1311 US Route 302, Barre VT 05641 802-828-2345 office | 802-477-2429 cell

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