



**Enforcement Strategies for Distribution of Tobacco Products to Minors and
Compliance Training and Assistance to Tobacco Retailers**

2022 Annual Report

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Statutory Authority and Requirements:

Health-General Article, §24-307(f), Annotated Code of Maryland requires the Maryland Department of Health to report to the General Assembly each year on the status of ongoing strategies for enforcement of §10-107 of the Criminal Law Article, which aims to limit the availability of tobacco products to minors and ensure retailer compliance with youth access laws.

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Acronyms

ATC	Alcohol and Tobacco Commission
CDC	Centers for Disease Control and Prevention
CRF	Cigarette Restitution Fund
CTPC	Center for Tobacco Prevention and Control
ESDs	Electronic Smoking Devices
FDA	Food and Drug Administration
FFY	Federal Fiscal Year, October 1 – September 30
HCHD	Howard County Health Department
LHD	Local Health Department
LRC	Legal Resource Center for Public Health Policy
MDH	Maryland Department of Health
NGO	Non-Governmental Organization
NYTS	National Youth Tobacco Survey
POST	Point of Sale Toolkit
RVR	Retailer Violation Rate
SABG	Substance Abuse Prevention and Treatment Block Grant
SAMHSA	Substance Abuse and Mental Health Services Administration
SFY	State Fiscal Year, July 1 – June 30

Introduction

This report, required annually under Health-General Article §24-307(f) Annotated Code of Maryland, provides an update on the status of ongoing strategies for enforcement of the Criminal Law Article §10-107, which aims to limit the availability of tobacco products to persons under the age of 21 years and ensure retailer compliance with youth access laws. These activities are conducted by the Maryland Department of Health (MDH), in collaboration and consultation with the Office of the Comptroller (the Comptroller), the Alcohol and Tobacco Commission (ATC), local health departments (LHDs), and local law enforcement agencies. Information contained in this report was compiled from the noted entities and highlights programmatic activities conducted in state fiscal year (SFY) 2022.

Specifically, Health-General Article §24-307(f), requires an annual report on the following:¹

1. The development of enforcement strategies prohibiting distribution to and possession of tobacco products by underage persons (§10-107 of the Criminal Law Article, Annotated Code of Maryland).
2. Training and assistance to tobacco retailers to improve compliance with §10-107 of the Criminal Law Article.

Please note, the COVID-19 pandemic impacted the content of this report for SFY 2022. Most local and statewide compliance checks of tobacco retailers that were paused during the COVID-19 pandemic resumed in SFY 2022. However, various factors, including staffing shortages and reporting delays, prevented state-level inspections from occurring. Furthermore, some LHDs were not able to resume local compliance checks and educational visits with tobacco retailers in their jurisdictions. MDH and its partners will continue to assess the situation in SFY 2023, following state and federal guidelines.

Background

Enforcement, education, and training related to federal, state, and local laws that restrict underage access to tobacco products are conducted through both the ATC and the Center for Tobacco Prevention and Control (CTPC) within MDH. CTPC provides retailer outreach, education, training, and funds local inspections through LHDs. Additionally, CTPC facilitates statewide federal Substance Abuse and Mental Health Services Administration (SAMHSA) Synar Program State inspections and Food and Drug Administration (FDA) inspections. The ATC conducts

¹ With the passage of HB 1169 - Business Regulation – Tobacco Products and Electronic Smoking Devices – Revisions (2019), §10-108 of the Criminal Law Article was repealed and therefore is no longer applicable to this report. Despite this, MDH will continue to report on strategies and activities to prevent youth from accessing tobacco products.

hearings and issues warnings, license suspensions, and revocations to repeat violators.

As a condition of the SAMHSA Substance Abuse Prevention and Treatment Block Grant (SABG), MDH must comply with the federal Synar Amendment, adopted in 1992. The Synar Amendment requires states to enact and enforce laws prohibiting the sale or distribution of tobacco products to persons under the age of 21 years. MDH conducts random unannounced inspections of Maryland tobacco retail outlets and vending machines annually to ensure compliance with Synar requirements, and reports the findings from such inspections to SAMHSA each federal fiscal year (FFY). Typically, states must maintain a retailer violation rate (RVR) of 20 percent or less to avoid penalties. Such penalties would include losing up to 10 percent of SABG funds.²

Maryland retailers temporarily exceeded the RVR threshold in FFY 2014 and FFY 2015, but have been compliant every year since FFY 2016. However, Maryland has been unable to perform Synar retail inspections during the COVID-19 pandemic (FFY 2021 and FFY 2022). Thus, the most recent RVR is 13.1 percent for FFY 2020.³

Despite the success of statewide efforts to reduce youth access to tobacco products, the costs required to sustain these efforts remain high. As such, Governor Hogan created a Tobacco Enforcement line item in the Cigarette Restitution Fund (CRF) budget for approximately \$2 million annually beginning in SFY 2017. These dedicated funds are necessary for MDH to maintain enforcement efforts, keep the RVR below the 20 percent threshold, and avoid costly penalties that could jeopardize state substance use treatment dollars.

Development and Success of Enforcement Strategies to Improve Compliance

MDH follows evidence-based recommendations for reducing underage access to tobacco products outlined in the Centers for Disease Control and Prevention (CDC) Best Practices for Comprehensive Tobacco Control Programs – 2014.⁴ These recommendations include: (1) mobilizing the community to restrict underage persons' access to tobacco products, in combination with additional interventions such as stronger local laws directed at retailers, active enforcement of retailer sales laws, and continuous retailer education; and (2) conducting mass-reach media education

² US Department of Health and Human Services. Programmatic Requirements for the Synar Program. Substance Abuse and Mental Health Services Administration (SAMHSA), 2022. Accessed 31 August 2022 at <<https://www.samhsa.gov/synar/requirements>>.

³ Maryland Department of Health, "FFY2020 SSES Survey Results," September 6, 2019, Center for Tobacco Prevention and Control, Accessed 17 August 2022 at <https://phpa.health.maryland.gov/ohpetup/Documents/FFY2020%20Synar%20SSES%20Results.pdf>

⁴ Centers for Disease Control and Prevention. Best Practices for Comprehensive Tobacco Control Programs—2014. Atlanta: US 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. Accessed 17 August 2022 at https://www.cdc.gov/tobacco/stateandcommunity/best_practices/index.htm.

campaigns, in combination with other community interventions. MDH collaborates with partners and agencies across the state to implement these best practice enforcement strategies. Specific strategies are outlined below.

Retailer enforcement strategies for §10-107 of the Criminal Law Article

MDH works collaboratively with LHDs, law enforcement, and the ATC to enforce existing laws, educate retailers, and sanction repeat violators of the law through the following new and existing strategies:

A. Recording and tracking sales violations through the online Point of Sale Toolkit:

MDH uploads a list of about 6,000 tobacco retailer licenses into a data collection and mapping software tool – the Counter Tools Point of Sale Toolkit (POST), <https://md.countertools.org/>.⁵ POST is a password-protected software system used to compile all tobacco retail outlet inspection, education, and assessment data into a unified database that can be tracked, edited, and searched. POST software also provides tools to investigate, visualize, compare, and monitor tobacco retailer compliance with existing state and federal restrictions on the sale of tobacco products to persons under 21 years old. As of June 30, 2022, there were 168 registered POST users across all 24 Maryland jurisdictions. POST users represent staff from the LHDs, local enforcement agencies, and MDH. Additionally, POST houses over 44,000 enforcement visits dating back to calendar year 2012, including: more than 17,800 LHD visits; 21,100 FDA compliance checks; and 3,900 state Synar inspection visits. Due to the COVID-19 pandemic, there were no recorded Synar compliance visits for SFY 2022. In SFY 2022, 3,053 visits were added to the POST system, including 2,727 local enforcement visits through LHDs and local enforcement agencies and 326 FDA inspections.

B. Local inspections through LHDs/Local Law Enforcement:

LHDs work with community partners, underage purchasers, and designated law enforcement agencies to conduct compliance checks and cite retailers that violate these laws. LHDs schedule compliance checks and retailer education visits throughout the fiscal year based on local needs and availability of staff and law enforcement agency partners.

In SFY 2022, LHDs conducted 4,508 compliance checks:

- 4,185 for routine surveillance of tobacco retailers; and

⁵ In SFY 2022, MDH obtained separate retailer license lists from the Comptroller and the Maryland Judiciary and combined them to create a more comprehensive list. Counter Tools uploads the list into the POST system on a regular basis.

- 323 follow-up compliance checks after local citations for tobacco sales to underage persons.

Local law enforcement agencies issued 903 citations for illegal sales of tobacco products to persons under the age of 21 years, and LHDs referred 16 tobacco retailers to the ATC for multiple or repeat violations. Retailer citations for underage sales increased by almost 100 percent, from 463 in SFY 2021 to 903 in SFY 2022.

Additional LHD highlights from SFY 2022 include:

Dorchester

The Dorchester County Health Department funded the Eastern Shore Wellness Solutions, Inc., a community-based organization, and the Hurlock United Methodist Church to educate tobacco retailers throughout the County and to prevent the underage sale of tobacco. Collectively, these community and faith-based organizations visited and educated 75 tobacco retailers.

Harford

The Harford County Health Department entered into a memorandum of understanding with Omicron Psi Sigma Chapter of the Phi Beta Sigma Fraternity to conduct retailer education on the Tobacco 21 law and provide written information and resources to all tobacco retailers.

Howard

The Howard County Health Department (HCHD) worked with The Surveillance Group, Inc. to conduct tobacco enforcement compliance checks. The HCHD trained underage tobacco purchasers to conduct tobacco retailer compliance checks and enforce local laws prohibiting the distribution of tobacco products to persons under the age of 21.⁶

Talbot

The Talbot County Health Department funded two youth organizations to join youth prevention efforts by visiting tobacco retailers to raise awareness on Maryland's tobacco sales laws. The Chesapeake Girl Scouts (Troop 1389) and the Talbot County 4-H youth club visited and educated 65 total tobacco retailers.

Washington

The Washington County Health Department contracted with two non-governmental

⁶ Howard County Code, Sec. 12.1301a, Accessed 31 August 2022 at <https://mdtobaccolaws.org/wp-content/uploads/2017/11/Howard-County-Distribution.pdf>.

organizations (NGOs) – Brothers Who Care and Washington County Business League – that performed 78 face-to-face educational visits with tobacco retailers in Washington County. During each visit, new signage and educational information regarding Maryland tobacco sales laws were shared with retailers.

C. State inspections through the Maryland Synar Program:

To ensure adherence with the federal Synar Amendment, MDH conducts annual unannounced inspections of licensed tobacco retailers and vending machines throughout Maryland. Adult inspectors conduct inspections along with underage purchasers (16 to 20 years old) and revisit noncompliant tobacco retailers to provide one-on-one training and education.⁷ Since FFY 2016, Maryland retailers have remained well under the 20 percent RVR threshold, eliminating the requirement of penalty expenditures.

Maryland Synar Retailer Violation Rate by Federal Fiscal Year*

	FFY 2014	FFY 2015	FFY 2016	FFY 2017	FFY 2018	FFY 2019	FFY 2020
RVR	24.1%	31.4%	13.8%	10.8%	13.9%	8.5%	13.1%
# of Retailers	7,059	6,076	5,667	6,034	6,698	6,600	6,478
# of Inspections	745	618	567	604	670	663	648
# Compliant	499	363	469	527	545	563	519
# of Incomplete**	90	84	23	13	37	48	51
# Noncompliant	156	164	75	64	88	52	78
<i>*In June 2020 (FFY 2021), SAMHSA issued changes to the Synar program. SAMHSA is giving states a three-year grace period where no penalties will be levied on states with an RVR more than 20 percent, giving states a transition period to comply with the new Synar Amendment requirements.</i>							
<i>**An inspection may be incomplete because a retailer does not sell tobacco products, is inaccessible to youth, is out of business, is a private club or private residence, or is wholesale or carton sale only.</i>							

Synar Program modifications and COVID-19-related program impact

Resumption of Synar checks in FFY 2022 was dependent on the status of the COVID-19 pandemic and was anticipated in early FFY 2022 (i.e., after September 30, 2021). However, due to staffing shortages (Synar inspectors and underage purchasers) this was not possible. MDH is actively hiring Synar inspectors and underage purchasers. While these factors prevent MDH from calculating an RVR for FFY 2021 and FFY 2022, SAMHSA has approved

⁷ During the Synar inspection process, underage inspectors have immunity from youth tobacco purchase and possession laws.

Synar checks to resume. Furthermore, there have been no federal repercussions for not conducting Synar checks in FFY 2022 as SAMHSA is allowing a three-year transition and amnesty period and is not levying penalties for any reason during this time.

D. Federal FDA inspections through MDH:

To ensure retailer compliance with the federal Family Smoking Prevention and Tobacco Control Act, MDH has a contractual agreement with the FDA to conduct undercover purchases, inspect retail advertising and labeling, and undertake other directed inspections on behalf of the FDA.⁸ MDH is currently in the eleventh year of this agreement.

MDH staff commissioned as FDA agents perform inspections across Maryland. Violations are reported to the FDA and may lead to warning letters, civil money penalties, no-tobacco-sales orders, or other enforcement actions. Since the FDA regulates all tobacco products, including e-cigarettes, hookah, smokeless tobacco, and cigars, retailers selling tobacco products must comply with all applicable federal laws and regulations, in addition to state laws.

Full FDA enforcement inspections resumed in SFY 2022. More underage purchasers have been hired to replace those that left during the COVID-19 pandemic and staffing is now near pre-pandemic levels. While FDA inspections were conducted in SFY 2022, the federal fiscal year continues through September 30, 2022. Complete FDA enforcement data for FFY 2022 will be provided in the SFY 2023 report.

Public FDA Enforcement Data, Maryland*

	FFY 2014	FFY 2015	FFY 2016	FFY 2017	FFY 2018	FFY 2019	FFY 2020
No Tobacco Sale Orders	0	0	3	5	4	0	0
Civil Money Penalties	88	176	71	103	87	143	103
Warning Letter Issued	260	236	139	143	276	350	239
No Violation Observed	1,081	2,574	2,940	2,006	1,633	1,923	1,914
Total Inspections Posted on FDA Website	1,429	2,986	3,153	2,257	2,000	2,416	2,256

⁸ [Title 21 USC 301 \(2009\)](#)

**Notes: These data are from the FDA's public website:*

https://www.accessdata.fda.gov/scripts/oc/e/inspections/oc/e_insp_searching.cfm.

These dates do not necessarily represent the date of inspection; rather the date reflects when FDA made a decision related to the inspection.

Data for FFY 2020 inspection results through March 19, 2020. Due to the COVID-19 pandemic, FDA issued a partial stop work order, suspending all inspections through September 29, 2020.

E. Enforcement through the ATC

The ATC supports LHD staff and law enforcement with the implementation of youth access laws. As of January 1, 2021, these responsibilities officially transferred from the Comptroller to the ATC (Alcoholic Beverages Article §1-307 and §1-308, Annotated Code of Maryland). These responsibilities include: educating the public on alcohol and tobacco use; conducting relevant studies; developing best practices and guidelines for enforcement activities, including inspections and compliance checks; regulating and enforcing licensing requirements for alcohol and tobacco retailers; and reporting aggregate data between local law enforcement and local licensing boards. The Comptroller still collects and processes tobacco-related taxes and returns.

The CTPC Director sits on the ATC as the MDH representative appointed by the Secretary. In this role at monthly meetings, the CTPC Director may advise the ATC on best practices related to tobacco control and enforcement, provide an overview of MDH tobacco control efforts, or present relevant statewide data on tobacco behaviors.

Youth enforcement strategies in support of §10-108 of the Criminal Law Article

With the passage of Chapter 396 of the Acts of 2019 (HB 1169) Business Regulation – Tobacco Products and Electronic Smoking Devices – Revisions, §10-108 of the Criminal Law Article, Annotated Code of Maryland was repealed, and as such is no longer applicable to this report. However, youth prevention activities provided through LHDs are discussed in the next section.

Training and Assistance to Tobacco Retailers to Improve Compliance

Statewide efforts to reduce the rate of illegal tobacco sales and to limit the availability of tobacco products to underage people include: (1) direct outreach to retailers and the general public, including mass reach health communications development and placement; (2) collaboration and funding to partner organizations; and (3) trainings and technical assistance through LHDs and partners.

1. *Direct outreach to retailers and mass reach media initiatives:*

The Maryland Responsible Tobacco Retailer Program conducted direct outreach to retailers in SFY 2022. In early May 2022, 6,087 licensed tobacco retailers received a “21 or None” postcard in the mail. This postcard reminded retailers that selling tobacco to anyone under 21 is illegal and was a precursor to “21 or None” toolkits sent to licensed tobacco retailers in late June 2022. The toolkits included a poster, window cling, overview letter, infographic, and a quick reference guide. All materials include information about the free Maryland Tobacco Quitline (1-800-QUIT-NOW) and are available for free download from the “No Tobacco Sales to Minors” website (www.NoTobaccoSalesToMinors.com). This site also features a free online training module and quiz for store owners and employees. Cessation resources, including a youth cessation texting program, “This Is Quitting”, are also listed on the website. During SFY 2022, MDH conducted a multifaceted media campaign to increase awareness of the Tobacco 21 law among retailers and the public. To reach Maryland residents and retailers, MDH placed “21 or None” ads (static images, audio ads, and short videos) in convenience stores, grocery stores, and gas station TV screens. Ads were visible from July to September 2021 and May to June 2022. MDH also placed “21 or None” messaging on Google Paid Search from November to December 2021. Ads appeared when residents searched for related terms. In total, these placements generated 22,887,656 impressions.

Ad placements also targeted tobacco retailers with digital and print ads. In SFY 2022, “21 or None” ads were placed on LinkedIn to target Maryland residents working in retail environments, generating 1,777,916 impressions. Print ads were placed in the Maryland Beverage Journal in September and December 2021, and June 2022. These print ads achieved 16,434 impressions.

In SFY 2022, the “No Tobacco Sales to Minors” website had 5,501 pageviews (4,982 were unique) with an average view time of nearly 2 minutes. From July 2021 to June 2022, there were 170 and 92 views of the retailer training module and quiz, respectively.

2. *Collaboration and funding to partner organizations:*

MDH works collaboratively with both the Comptroller and the ATC to provide training and technical assistance to LHDs on various tobacco enforcement topics, including retailer education and compliance with Maryland tobacco laws. MDH receives an annual list of licensed tobacco retailers from the Comptroller to assist with local tobacco enforcement efforts. In addition, MDH routinely refers LHDs and members of the public to the ATC for assistance with addressing specific enforcement issues within their local jurisdictions.

MDH continues to fund the Legal Resource Center for Public Health Policy (LRC) at the University of Maryland, Francis King Carey School of Law to develop and disseminate materials on best practices for law enforcement, health, and judicial officials on implementation and enforcement of tobacco retailer compliance programs. In SFY 2022 the LRC responded to technical assistance requests from LHDs, MDH, NGOs, members of the public, and others on tobacco enforcement issues by providing education, materials, and other resources. The LRC also presented at coalition, town hall, and leadership meetings across Maryland on similar enforcement topics.

3. *Trainings and technical assistance through LHDs and partners:*

In SFY 2022, MDH provided funding to all 24 LHDs to support training and technical assistance to improve retailer compliance and reduce youth demand for tobacco products. Funding for local health initiatives supports various activities, including tobacco retailer education and training, local marketing and media campaigns, leadership meetings, youth educational programs, and community engagement.

In SFY 2022, LHDs:

- Educated 1,426 tobacco retailers (face-to-face) on state tobacco sales laws through 26 NGO partners, over an 80 percent increase from SFY 2021 (782 retailers).
- Educated 3,514 tobacco retailers (face-to-face) on state tobacco sales laws through LHD staff.
- Held 24 leadership meetings with 310 attendees including community partners, law enforcement agencies, local state's attorney community action agencies, and political leaders.
- Implemented 17 school-based collaborations, with 3,363 participants that raised awareness about underage access to tobacco products and prevention.
- Supported 10 faith-based partnerships to raise awareness in the faith community about tobacco use, underage access to tobacco products, and prevention efforts through collaborative events, reaching 794 participants.
- Conducted 32 youth events with 3,730 participants across the state to promote awareness about illegal sales of tobacco products to underaged persons.

Ensuring Future Compliance

Moving forward, MDH will build on these successful enforcement activities by continuing to:

conduct local, state, and federal compliance checks with tobacco retailers; collaborate with the ATC, Comptroller, LHDs, LRC, and other partners to educate and train tobacco retailers; and update and disseminate educational materials such as the “21 or None” retailer toolkit and the “No Tobacco Sales to Minors” website. Furthermore, MDH will pursue collaborations with tobacco retailer associations to increase voluntary compliance and support from the retail community.

In addition, MDH will continue conducting surveillance and sharing data on relevant tobacco use behaviors and tobacco-related health disparities in Maryland.⁹ Results from the 2020 Behavioral Risk Factor Surveillance System (BRFSS) show the prevalence of adult cigarette smoking at 10.9 percent, down from 19.1 percent in 2011. Data from the 2021 National Youth Tobacco Survey (NYTS) showed that 2.06 million high school students nationwide used tobacco products, including cigarettes (1.9 percent), cigars (2.1 percent), smokeless tobacco (1.0 percent), and electronic smoking devices (ESDs) (11.3 percent).¹⁰

Despite the reduced prevalence of all tobacco product use nationally, youth preference for ESD products remains high and the risk of conventional tobacco products such as cigarettes, cigars, and smokeless tobacco is still present. Disposable ESD manufacturers claiming to make “tobacco-free nicotine” products (e.g., Puff Bar), also known as synthetic nicotine, are on the rise. These products contain nicotine derived from a laboratory rather than traditional tobacco plants. These products previously fell outside of the FDA premarket review process that was required for other tobacco products.¹¹ However, effective April 2022, the FDA now has oversight of these products. The definition of a tobacco product under current Maryland law covers products derived from synthetic nicotine.

Flavored tobacco products, including ESDs, also remain popular with youth and young adults. According to the 2021 NYTS, among middle and high school students, 38.8 percent that smoked cigarettes used menthol cigarettes and 85 percent of ESD users preferred flavored products.¹² Research shows menthol flavors in combustible tobacco products decrease cessation success, increase youth initiation, mask the harshness of tobacco, and are disproportionately used by African Americans and other groups. While menthol is currently the only flavor allowable for cigarettes, ESDs and other tobacco products can contain candy, fruit, and other sweet flavors appealing to youth. Flavors added to combustible tobacco products are particularly problematic, as such additives can reduce the harshness and bitterness of the product, possibly leading youth to

⁹ Due to the COVID-19 pandemic and remote school schedules, the 2020-2021 Maryland Youth Risk Behavior Survey/Youth Tobacco Survey (YRBS/YTS) was postponed to the 2021-2022 school year. New data from the Maryland YRBS/YTS will not be available until the end of 2022.

¹⁰ Park-Lee E, Ren C, Sawdey MD, et al. Notes from the Field: E-Cigarette Use Among Middle and High School Students — National Youth Tobacco Survey, United States, 2021. *MMWR Morb Mortal Wkly Rep* 2021; 70(39):1387-1389. Accessed 30 August 2022 at <https://www.cdc.gov/mmwr/volumes/70/wr/mm7039a4.htm>.

¹¹ US Food and Drug Administration. PMA Review Process. Accessed 31 August 2022 at <https://www.fda.gov/medical-devices/premarket-approval-pma/pma-review-process>.

¹² Park-Lee et al., National Youth Tobacco Survey, 2021.

believe that flavored tobacco products are less addictive and harmful than non-flavored products. In April 2022, the FDA proposed two new tobacco product standard rules that would separately ban menthol cigarettes and flavored cigars. While the proposed rules are still under consideration, doing so would reduce youth initiation, nicotine addiction, and tobacco-related health disparities across Maryland. MDH, together with local, state, and federal partners, will continue monitoring these emerging products and implementing initiatives that reduce youth access through rigorous retailer education, training efforts, and ongoing enforcement.

Conclusion

Through coordinated enforcement and training efforts from MDH, the Comptroller, the ATC, LHDs, and other partners, Maryland has remained compliant with federal Synar regulations since FFY 2016. Despite the impact of the COVID-19 pandemic, MDH has sustained local tobacco enforcement checks, tobacco cessation services, tobacco prevention messaging through mass reach health communications, and surveillance activities of tobacco use behaviors. MDH and partners will continue to support best practices for reaching retailers and the community, educating about youth access laws, highlighting the dangers of tobacco use, and providing cessation support services, such as the Maryland Tobacco Quitline (1-800-QUIT-NOW).

The continued funding of statewide tobacco control and enforcement activities in the CRF budget will help sustain program activities that reduce retailer noncompliance rates. As the tobacco product landscape and youth tobacco use behaviors continue to change, MDH will utilize the designated funding to support enhanced retailer education and training on youth sales laws, including training and technical assistance with Maryland tobacco laws. This increased education and training will help ensure retailer noncompliance rates remain low, avoiding future costly penalties that would jeopardize substance use treatment dollars in Maryland. In addition, funding will continue to enhance or expand programming for vulnerable groups in Maryland that bear a disproportionate burden of tobacco-related health disparities, including: people living with behavioral health conditions; racial and ethnic minorities; individuals with low income; and lesbian, gay, bisexual, transgender, and queer communities.

The ability to continue successful implementation of the strategies outlined in this report is contingent upon sustained support for these programs. This support is especially important as Maryland works to reduce use of ESDs, provide retailer support to ensure compliance with youth access laws, and improve the health of Marylanders.