

Annual Report on Youth Access to Tobacco

Massachusetts Tobacco Control Program
Massachusetts Department of Public Health
Fiscal Year 2008

Make smoking history.



Deval L. Patrick, Governor
Timothy P. Murray, Lieutenant Governor
JudyAnn Bigby, MD, Secretary, Executive Office of Health and Human Services
John Auerbach, Commissioner, Department of Public Health



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Recent reports and updated
information are available at
www.mass.gov/dph/mtcp.

Executive Summary

The Massachusetts Department of Public Health is committed to preventing the initiation of tobacco use among youth. According to 2007 Massachusetts Behavioral Risk Factor Surveillance System (BRFSS) data, 85% of adult smokers smoked their first cigarette while they were teenagers and over 50% of adult smokers started smoking regularly before the age of 18.

One of the determining factors in young people smoking is their ability to purchase tobacco. The Massachusetts Tobacco Control Program (MTCP) funds local programs to provide retailer education, conduct compliance checks, and enforce the law prohibiting sales of tobacco to anyone under the age of 18.

Between FY 2003 and FY 2006, the rate of illegal sales of tobacco to minors in Massachusetts doubled, from 11.6% to 22.7%. This spike in illegal sales began when MTCP's budget was reduced by 92% in FY 2003. MTCP went from funding over 300 local board of health programs to funding only 113 in July of 2003, leaving most municipalities with no one to conduct compliance checks to ensure that retailers did not sell tobacco to minors.

By FY 2007, funding had been restored to many of these local boards of health tobacco control programs, resulting in coverage of 195 municipalities across the Commonwealth and protecting 74% of Massachusetts residents. With two steady years of funding available, MTCP's local programs have successfully reversed the trend of increasing rates of illegal sales to minors.

In FY 2008, board of health programs funded by MTCP completed 18,893 compliance checks to ensure that retailers did not sell tobacco to minors. In the 195 cities and towns with MTCP-funded programs, the illegal sales rate was 8.3%. In cities and towns without funded boards of health, the illegal sales rate was almost twice as high, at 15.6%.

The federal Synar Amendment requires that all states have laws in place that prohibit the sale and distribution of tobacco products to persons under the age of 18 and to enforce these laws effectively.

The Synar Amendment further requires that statewide compliance with tobacco sales laws cannot be higher than 20% or the state will lose over \$3 million in federal funding for prevention and treatment programs in the Bureau of Substance Abuse Services of the Massachusetts Department of Public Health.



Introduction

- Tobacco use is the leading cause of preventable death and illness in Massachusetts.
- More than 8,000 Massachusetts residents die each year from tobacco-related causes including cancers of the lung, larynx, esophagus, mouth, and other organs; heart disease and stroke; chronic obstructive pulmonary disease (COPD); and tobacco-related complications of other diseases, including diabetes, asthma, and other conditions.
- To reduce the public health costs of tobacco use, the Massachusetts Tobacco Control Program (MTCP) addresses four main goals:
 - Preventing young people from starting to smoke
 - Protecting children and adults from secondhand smoke
 - Helping current smokers to quit
 - Identifying and eliminating tobacco related disparities.

To achieve these goals, MTCP funds local and statewide programs, leads statewide initiatives in collaboration with partners, and conducts surveillance, research and evaluation.

Currently, 21 boards of health have contracts with MTCP to promote and enforce local tobacco regulations. Through these contracts, most of which are collaborative programs, MTCP funds a total of 195 boards of health. MTCP has funded local boards of health since November 1993.

Beginning in 2006, MTCP funded Youth Access Prevention Programs in areas of the state without funded boards of health. These programs conduct compliance checks for primarily education and surveillance purposes, conduct retailer education and community education to reduce youth smoking.

MTCP also funds the Massachusetts Health Officers Association, which offers mini-grants to unfunded boards of health to conduct a round of compliance checks, and the Massachusetts Association of Health Boards, which conducts compliance checks for surveillance purposes in areas of the Commonwealth without other MTCP-funded activities.

This report focuses on preventing youth access to tobacco products. Information about all MTCP activities is available in the MTCP Annual Report and at www.mass.gov/dph/mtcp. Information about MTCP media campaigns and school resources is available at www.makesmokinghistory.org

Youth Access Efforts in FY 2008

In FY 2008, the Massachusetts Tobacco Control Program's (MTCP) efforts to prevent youth access to tobacco focused on:

- Conducting compliance checks to monitor retailer compliance with the state law that prohibits selling tobacco products to minors.
- Inspecting tobacco retail environments for compliance with state and local signage and permit requirements.
- Educating retail store managers and clerks about tobacco sales laws.
- Developing and using Massachusetts' Retailer Data Management System (RDMS) to obtain immediate and consistent data collection statewide.

MTCP-funded programs used MTCP's *Under 27* retailer kits to educate store managers and employees about tobacco sales laws. The *Under 27* campaign, launched in 2007, is an innovative retailer education and counter-marketing campaign that was the result of a partnership of the Department of Public Health and the Attorney General's Office.

In FY 2008, MTCP further expanded the presence of *Under 27* materials in retail stores by providing age calculation calendars and other in-store materials to remind clerks to card any person under the age of 27 for tobacco purchases.

Evaluation of youth access efforts reveal a significantly lower illegal sales rate in communities with boards of health funded by MTCP.

In FY 2008, board of health programs funded by MTCP completed 18,893 compliance checks to ensure that retailers did not sell tobacco to minors. In the 195 cities and towns with MTCP-funded programs, the illegal sales rate was 8.3%. In cities and towns without funded boards of health, the illegal sales rate was almost twice as high, at 15.6%.

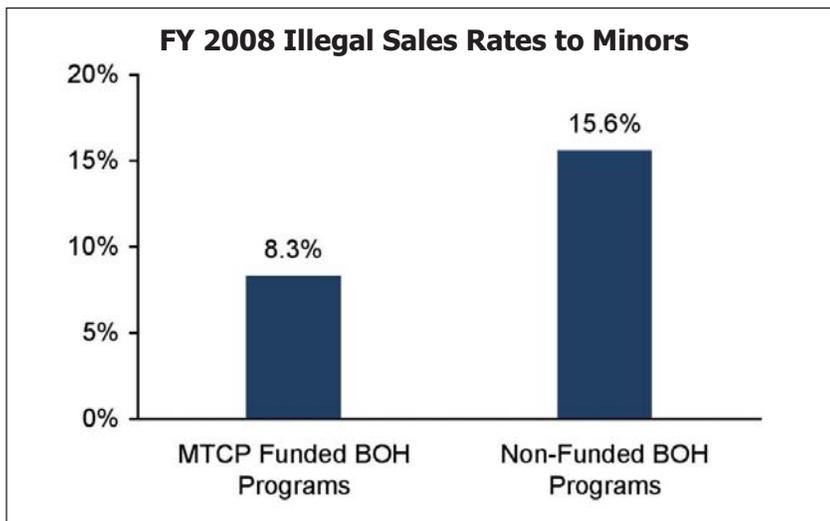


Status and Accomplishments

Compliance Checks — Tobacco Sales to Minors

Communities without funded board of health tobacco control programs had illegal sales to minors at twice the rate of funded communities.

Between July 1, 2007 and June 30, 2008 (FY 2008), programs funded by MTCP (including funded Boards of Health, Youth Access Prevention Programs, Massachusetts Health Officers Association mini-grants, and Massachusetts Association of Health Boards) completed a total of 20,781 tobacco compliance checks in Massachusetts. By definition, a compliance check is considered completed if a youth is able to enter an establishment, tobacco is available for sale, and the youth was able to ask to purchase the tobacco product.



All compliance checks are conducted using the detailed compliance check protocol of the Massachusetts Tobacco Control Program. Adult Supervisors and Youth Purchasers are trained using this protocol.

In FY 2008, 195 of the 351 cities and towns in Massachusetts received funds from MTCP to have board of health tobacco control programs. MTCP-funded board of health programs conduct regular compliance checks to assess compliance with regulations that prohibit the sale of tobacco to minors. In these

195 communities, penalties for the sale of tobacco products to minors are assessed and levied by local boards of health. These penalties include warnings, fines, and/or suspensions of local tobacco sales permits for repeat violations.

In 100 of the 156 communities that did not have MTCP-funded boards of health, the Youth Access to Tobacco Prevention Programs, the Massachusetts Health Officers Association mini-grants, and the Massachusetts Association of Health Boards (MAHB) conducted compliance checks for surveillance and education purposes.

Programs working in the majority of the communities without MTCP-funded boards of health did not conduct enforcement activities or retailer notification, due to limited resources. However, a small number of boards of health did issue fines to retailers.

A list of communities with MTCP-funded board of health programs in FY 2008 can be found in Appendix A.

In FY 2008, MTCP-funded board of health programs completed:

- 18,893 compliance check attempts
- which resulted in 1,573 illegal tobacco sales to minors.

As a result of the illegal tobacco sales,

- 1,249 fines were issued totaling \$170,600 and
- 122 permit suspensions were issued by boards of health, for an average duration of 8.5 days.

The compliance rate was 91.7% in MTCP-funded communities.

The illegal sales rate was 8.3%.

Appendix B contains a chart of compliance checks by municipalities with funded boards of health. Appendix C contains a summary of enforcement actions by funded boards of health.

In communities *without* MTCP-funded boards of health, the Massachusetts Health Officers Association mini-grants, Massachusetts Association of Health Boards, and five youth access to tobacco prevention programs completed:

- 1,888 compliance check attempts
- which resulted in 295 illegal sales.

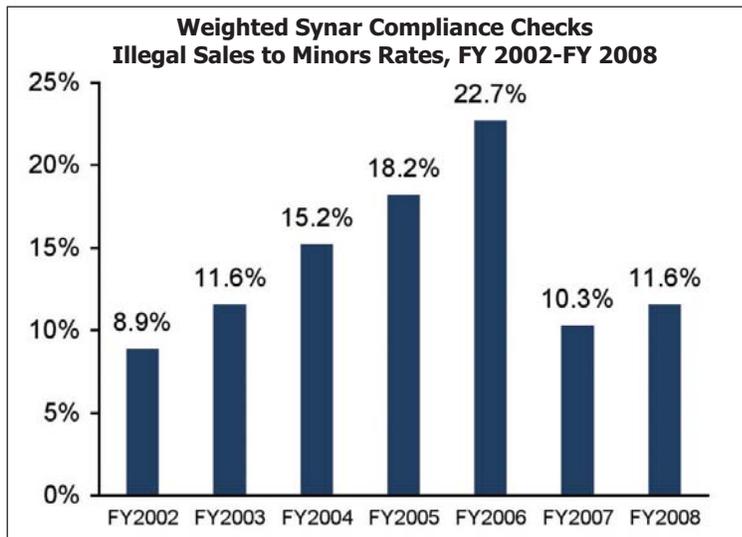
The compliance rate was 84.4% in non-funded communities.

The illegal sales rate was 15.6%.

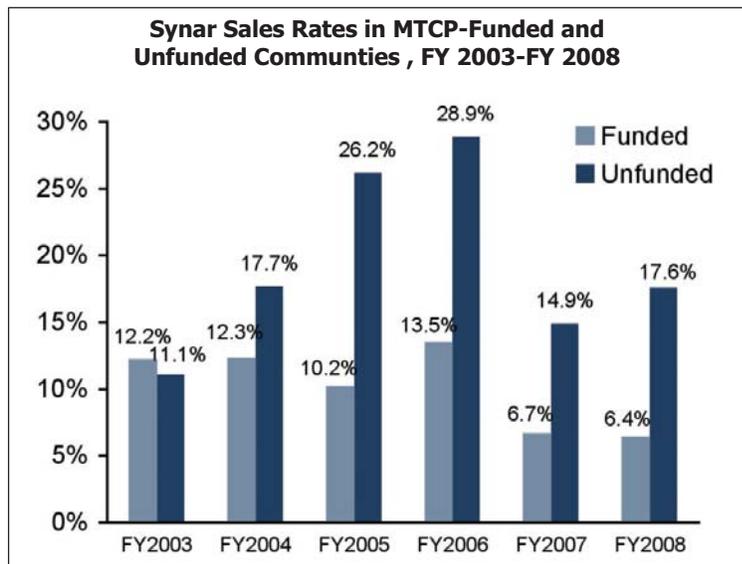
Appendix D contains a chart of compliance checks by municipalities with unfunded boards of health.

FY 2008 Synar Results

With two steady years of funding available, MTCP local programs have successfully reversed the trend of increasing rates of illegal sales to minors. However, MTCP remains concerned about higher sales rates in municipalities without board of health funding.



Each year, Massachusetts is required to draw a random sample of the compliance checks conducted across the state to complete the annual federal Synar Report. The Synar Amendment requires states to conduct randomly selected, unannounced compliance checks with local retailers, in which underage youth attempt to purchase tobacco. States then submit an annual report that details the activities conducted to enforce youth access laws.



Because the Synar illegal sales rate is determined by using a random sample of compliance checks that is weighted for geography, population and funding, MTCP uses the Synar illegal sales rate as the Massachusetts illegal sales rate for cigarettes.

In FY 2008, 882 of the compliance checks conducted statewide were randomly selected and included in the Synar sample. The resulting weighted sales rate was 11.6%.

The 11.6% sales rate in FY 2008, similar to the FY 2007 sales rate, was a significant decrease from the 22.7% Synar sales rate in FY 2006.

The dramatic decrease in illegal sales during FY 2007 and FY 2008 coincided with a substantial increase in MTCP-funded local programs that conduct regular tobacco retailer education and compliance checks.

Enforcement Data

In FY 2002, MTCP funded 307 board of health programs. In the summer of 2003, the number of funded board of health programs was reduced to 113 after significant budget reductions to MTCP. As board of health programs were defunded or funding was reduced, substantially less enforcement of youth access regulations occurred throughout the Commonwealth.

After MTCP slowly rebuilt the number of funded local programs during FY 2005, FY 2006, and FY 2007, the level of enforcement of youth access regulations again increased. As the number of MTCP-funded board of health programs grew to 195 in FY 2008, this increased level of statewide enforcement was a major factor in the overall lower illegal sales rates to minors.

| MTCP-funded boards of health | | | | | |
|------------------------------|-----------|-----------|-----------|-----------|-----------|
| | FY 2004 | FY 2005 | FY 2006 | FY 2007 | FY 2008 |
| Illegal sales | 1,524 | 1,732 | 1,770 | 1,275 | 1,573 |
| Warnings | 339 | 386 | 401 | 215 | 153 |
| Fines | 1,025 | 1,290 | 1,302 | 1,043 | 1,249 |
| Amount of fines | \$141,100 | \$181,275 | \$183,975 | \$149,400 | \$170,600 |
| # of local permits suspended | 99 | 283 | 268 | 179 | 122 |
| Total days of suspensions | 861 | 2,770 | 3,882 | 1,903 | 1,031 |

Working with chain stores

In the past three years, MTCP has worked with the Massachusetts Attorney General's Office to educate chain store employees about tobacco sales laws. The Attorney General's office also levies fines and penalties on chain stores with high tobacco sales rates to minors. The majority of chain stores have seen a decrease in illegal sales to minors since FY 2005.

See Appendix E for a 5-year comparison of chain store sales rates.

Compliance Check Data-What We Have Learned

Data from compliance checks allows MTCP to adapt its strategy to more effectively prevent youth from purchasing tobacco products. The data discussed in this section is from all compliance checks conducted in communities with or without an MTCP-funded board of health program.

The importance of asking for ID

Retail clerks who ask for ID are much less likely to make an illegal sale to a minor. In FY 2008, clerks who asked to see identification made an illegal sale to a minor only 1.3% of the time. This type of sale can occur when the clerk does not verify the date of birth on the ID, for example. In contrast, when store clerks did not ask for ID, they made illegal sales 78% of the time.

MTCP's *Under 27* campaign instructs clerks to ask anyone who appears to be under 27 years old for identification. The retailer training portion of the campaign educates clerks about how to ask for, examine, and properly check an ID.

The importance of educating store clerks about other types of tobacco products

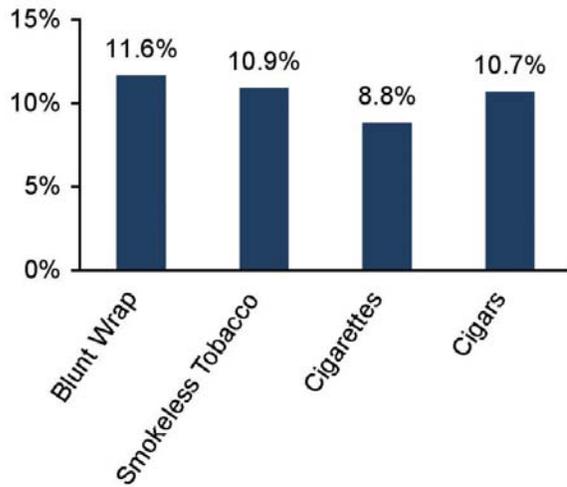
In FY 2008, the sales rates of some tobacco products were substantially higher than the cigarette sales rate of 8.8%. The sales rate of blunt wraps was 11.6%; the sales rate for smokeless tobacco was 10.9%; and the sales rate for cigars was 10.7%.

Retailer store owners and managers must train store clerks to recognize the different types of tobacco products sold in their store. Many clerks do not realize that blunt wraps, cigars and smokeless tobacco are, in fact, tobacco products and that the sale of these products to minors is illegal. As new tobacco products such as snus and dissolvable tobacco become available in Massachusetts, it is critical that retailers ask for identification prior to selling all tobacco products.

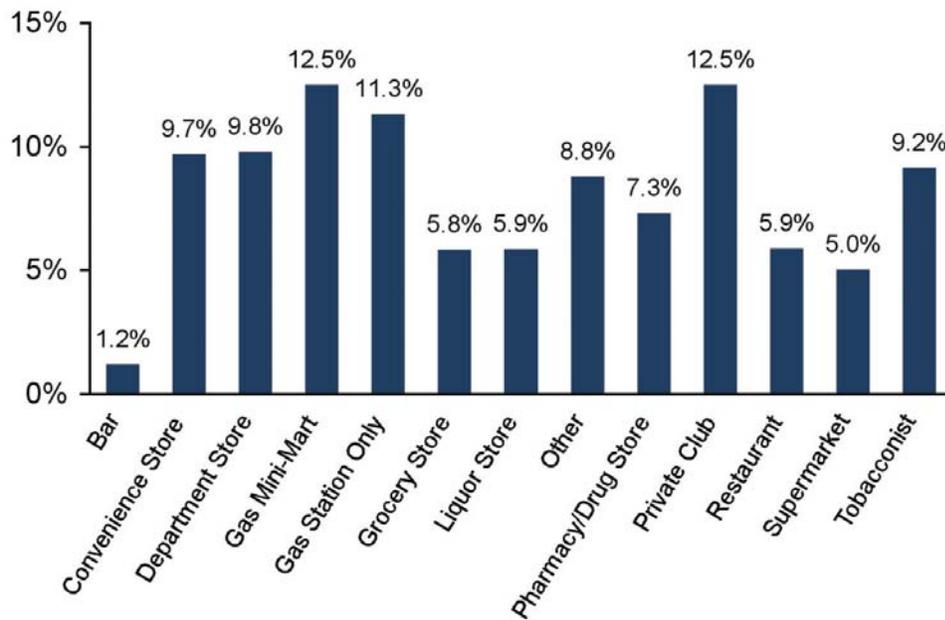
More education is needed with certain types of stores

In FY 2008, sales rates continued to be higher at gas stations, gas mini marts, convenience stores, and grocery stores. In these types of establishments, proprietors and local programs must continue to train employees and increase awareness of tobacco sales laws.

Sales Rate by Type of Product Requested FY 2008



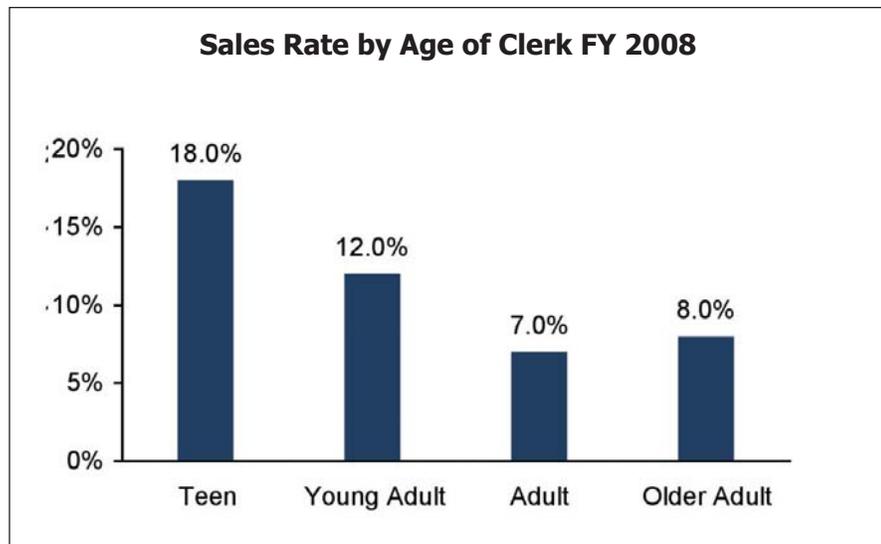
Sales Rate by Style of Establishment FY 2008



Sales rates depend on the age of the clerk

Analysis of data indicates that illegal sales are highest with teen and young adult clerks. These age groups need targeted merchant education and additional training.

Teen, up to 20 yrs. old
Young Adult, 20-30 yrs. old
Adult, 30-55 yrs. old
Older Adult, over 55 yrs. old



Tobacco Retail Store Inspections and Merchant Education Visits

In FY 2008, MTCP-funded board of health programs conducted:

- 7,690 store inspections and/or merchant education visits
- resulting in 2,607 violations

Types of violations included failure to have valid tobacco sales permit or required signs posted, presence of self-service displays, and violations of vending machine laws.

As a result of these violations;

- 1,823 warnings were issued to retailers
- 46 of the violations resulted in fines totaling \$5,100

In communities without MTCP-funded boards of health, youth access to tobacco prevention programs and MHOA mini-grants conducted:

- 1,377 retail establishment visits
- resulting in violations noted in 679 stores, these violations included*:
 - Point of purchase signage violations (large signs): 414
 - Point of Purchase signage violations (small signs): 318
 - Cigar warning sign violations: 267
 - Self-service display violations: 77

Youth access program inspections/merchant education visits are conducted to educate store clerks and owners about tobacco sales laws. The results of inspections done by youth access programs are shared with the retailer's local boards of health. The local board of health is authorized to investigate and enforce violations.

In FY 2008, MTCP-funded boards of health and youth access to tobacco prevention programs also conducted several group merchant education trainings to interested retailers and chain store employees.

* Note that many stores had multiple violations



Licensing Tobacco Retailers

According to the Surgeon General, licensing tobacco retailers is an effective way to restrict tobacco sales to minors. According to MTCP's last survey conducted in FY 2007, 74% of Massachusetts municipalities required a local tobacco sales license or a local tobacco sales permit. Seventy percent of these communities charged a fee. Fees for local tobacco sales licenses ranged from \$0 to \$500. In addition to the local license, all retailers in Massachusetts must obtain a state license from the Department of Revenue.

Under 27/Under 18 Retailer Campaign

MTCP's *Under 27* campaign increases awareness among tobacco retailers, their employees, and the general public about state and local laws concerning tobacco sales to minors.

To increase the impact of the campaign in FY 2008, MTCP funded 9 local board of health tobacco control programs and 4 youth access prevention programs to expand the visibility of the *Under 27* message. The programs partnered with retailers in a total of 171 towns in their extended communities to develop and distribute *Under 27* materials such as posters, calendars, counter mats, and penny dishes. These materials replaced items in 2,065 retail stores that would otherwise carry cigarette advertising. Spanish language materials were developed for some communities.

The campaign serves as a reminder of the Attorney General's regulation that requires retailers to ask for an ID from anyone attempting to purchase tobacco who appears to be under the age of 27, as well as the law prohibiting the sale of tobacco to those under the age of 18.

The campaign is jointly sponsored by the Massachusetts Department of Public Health and the Office of Attorney General Martha Coakley.

Training materials, posters, *Under 27* logo items, and other resources are available free of charge to any tobacco retailer in the Commonwealth at www.Under27.org.



An *Under 27* campaign sign placed prominently in Brockton.

Massachusetts Retailer Data Management System (RDMS)

In FY 2008, the Massachusetts Tobacco Control Program fully implemented its comprehensive web-based Retail Data Management System (RDMS). The RDMS allows MTCP, in a joint effort with the Massachusetts Department of Revenue, to track retailers that sell tobacco in Massachusetts.

The RDMS allows tobacco control programs to create records of each tobacco retailer. Using a handheld device or a computer that accesses the website, local programs can enter new compliance check and signage inspection data. Historic data can also be accessed in the RDMS system.

Within RDMS, local programs can create compliance check and inspection travel routes, complete with maps to show inspectors where the tobacco retailers are located. Reports that summarize tobacco sales trends on the state and local levels can be created easily at the click of a button. These reports show data such as sales rate by municipality, by tobacco control collaborative, by type of store, by age and gender of the clerk, by day of the week, by youth inspector, and much more. Chain store data reports are also easily created within the RDMS to share information with the Massachusetts Attorney General's Office that assists in enforcement work with chain stores.

RDMS has provided state and local programs within Massachusetts with quick and easy access to current, more accurate data to share with local stakeholders and eliminates the need for paper forms. MTCP is now able to maintain comprehensive data records on all tobacco retailers throughout the Commonwealth and to track in real time where youth access issues exist.

Future plans are to expand the RDMS system to include a module to track enforcement activities after compliance check or retail inspection violations occur. A module to track tobacco pricing and advertising in retail stores is also planned.

After all modules are in place, MTCP plans to enhance existing mapping features. Enhanced mapping will allow MTCP to create data maps that will help to identify where compliance check sales and inspection violations occur and to visually track pricing and advertising trends in the retail store environment. These data maps will help MTCP to identify areas where more youth access prevention efforts are needed.

In FY 2008, RDMS was used by all local programs that receive MTCP funding for preventing youth access to tobacco. Data was collected in over 300 cities and towns.



Portable handheld devices allow instant reporting to the RDMS system.

Massachusetts' laws and regulations regarding youth access to tobacco

This section contains a brief summary of state laws regarding youth access to tobacco. Additional information is available at www.mass.gov/dph/mtcp and www.ago.state.ma.us.

Illegal Sales to Minors

Massachusetts state law prohibits giving or selling tobacco products to a minor under the age of 18 (*G.L.ch.270 Section 6*). The state law requires that fines for illegal sales be \$100 for the first offense, \$200 for a second offense, and \$300 for the third and subsequent offenses. However, it is up to the boards of health of the 351 communities in Massachusetts to enforce this law locally.

The Massachusetts Attorney General Regulation *940 CMR 21.04(2); 22.06(2)* further requires retailers who sell tobacco to ask for photo ID from anyone who appears to be under the age of 27; and retailers must only accept a valid government-issued ID to verify the purchaser's age.

Self-Service displays

The Massachusetts Attorney General sales regulations prohibit self-service displays from which customers may obtain tobacco products without the assistance of a store clerk. Self-service displays are only allowed in adult-only facilities. *940 CMR 21.04(2); 22.06(2)*.

Vending Machines

The Attorney General's tobacco sales regulations ban vending machines containing tobacco products, except in establishments that are licensed to sell alcohol for consumption on the premises.

There are three requirements of all vending machines containing tobacco products:

1. Machines must have lock-out devices that require an employee to unlock the machine for each sale;
2. Machines must be located where sales can be easily observed by an employee;
3. A sign must be posted on each machine stating that minors are not permitted to purchase tobacco and notifies customers of the lock-out device.

Single Cigarette Sales

Massachusetts state law and Attorney General Consumer Protection Regulations prohibit the sale of single, unpackaged cigarettes. Further, it is against the Attorney General Consumer Protection Regulations to break or otherwise open a cigarette pack, little cigar package, or smokeless tobacco container to sell or distribute. *G.L. ch.94, section 307A; 940 CMR 21.04(1)(b) and 22.06(1)(b).*

Required Signage

Massachusetts state law also requires that notice of the minimum legal age sales law be posted at retail establishments selling tobacco. A nine square inch yellow sign must be posted at each cash register in retail establishments and a larger forty-eight square inch sign must be posted at the cash register that has the greatest volume of tobacco sales. The sign(s) must face customers at a height of between four and nine feet from the ground. *G.L.ch.270, Section 7; 105 CMR 590.009(f).* Tobacco signage laws are also enforced by local boards of health.



Appendices

Appendix A - FY 2008 Community Funding Status

| City/Town | 2000 Population | EOHHS Region | Funded BOH | Funded YAPPs | BOH mini-grants |
|-------------|-----------------|--------------|------------|--------------|-----------------|
| Abington | 14,605 | SE | yes | no | no |
| Acton | 20,331 | MW | yes | no | no |
| Acushnet | 10,161 | SE | yes | no | no |
| Adams | 8,809 | W | no | yes | no |
| Agawam | 28,144 | W | no | yes | no |
| Alford | 399 | W | no | yes | no |
| Amesbury | 16,450 | NE | no | yes | no |
| Amherst | 34,874 | W | yes | no | no |
| Andover | 31,247 | NE | yes | no | no |
| Aquinnah | 344 | SE | yes | no | no |
| Arlington | 42,389 | MW | no | no | yes |
| Ashburnham | 5,546 | C | yes | no | no |
| Ashby | 2,845 | C | yes | no | no |
| Ashfield | 1,800 | W | no | yes | no |
| Ashland | 14,674 | MW | yes | no | no |
| Athol | 11,299 | C | yes | no | no |
| Attleboro | 42,068 | SE | no | no | no |
| Auburn | 15,901 | C | yes | no | no |
| Avon | 4,443 | SE | no | no | no |
| Ayer | 7,287 | C | yes | no | no |
| Barnstable | 47,821 | SE | yes | no | no |
| Barre | 5,113 | C | yes | no | no |
| Becket | 1,755 | W | no | yes | no |
| Bedford | 12,595 | MW | no | no | yes |
| Belchertown | 12,968 | W | no | yes | no |
| Bellingham | 15,314 | C | no | yes | yes |
| Belmont | 24,194 | MW | yes | no | no |
| Berkley | 5,749 | SE | no | no | no |
| Berlin | 2,380 | MW | yes | no | no |
| Bernardston | 2,155 | W | no | yes | no |
| Beverly | 39,862 | NE | yes | no | no |
| Billerica | 38,981 | NE | yes | no | no |
| Blackstone | 8,804 | C | no | yes | yes |
| Blandford | 1,214 | W | no | yes | no |
| Bolton | 4,148 | C | yes | no | no |
| Boston | 589,141 | B | yes | no | no |
| Bourne | 18,721 | SE | yes | no | no |
| Boxborough | 4,868 | C | yes | no | no |
| Boxford | 7,921 | NE | no | yes | no |
| Boylston | 4,008 | C | yes | no | no |
| Braintree | 33,828 | MW | yes | no | no |

EOHHS = Executive Office of Health and Human Services

BOH = Board of Health

YAPPs = Youth Access Prevention Programs

EOHHS Regions:

B = Boston
 C = Central
 MW = Metrowest
 NE = Northeast
 SE = Southeast
 W = West

| City/Town | 2000 Population | EOHHS Region | Funded BOH | Funded YAPPs | BOH mini-grants |
|------------------|-----------------|--------------|------------|--------------|-----------------|
| Brewster | 10,094 | SE | yes | no | no |
| Bridgewater | 25,185 | SE | no | no | no |
| Brimfield | 3,339 | W | yes | no | no |
| Brockton | 94,304 | SE | no | no | no |
| Brookfield | 3,051 | C | no | yes | no |
| Brookline | 57,107 | MW | yes | no | no |
| Buckland | 1,991 | W | yes | no | no |
| Burlington | 22,876 | MW | yes | no | no |
| Cambridge | 101,355 | B | yes | no | no |
| Canton | 20,775 | MW | no | no | yes |
| Carlisle | 4,717 | MW | no | no | no |
| Carver | 11,163 | SE | yes | no | no |
| Charlemont | 1,358 | W | no | yes | no |
| Charlton | 11,263 | C | yes | no | no |
| Chatham | 6,625 | SE | yes | no | no |
| Chelmsford | 33,858 | NE | yes | no | no |
| Chelsea | 35,080 | B | yes | no | no |
| Cheshire | 3,401 | W | no | yes | no |
| Chester | 1,308 | W | no | yes | no |
| Chesterfield | 1,201 | W | no | yes | no |
| Chicopee | 54,653 | W | no | yes | no |
| Chilmark | 843 | SE | yes | no | no |
| Clarksburg | 1,686 | W | no | yes | no |
| Clinton | 13,435 | C | yes | no | no |
| Cohasset | 7,261 | MW | yes | no | no |
| Colrain | 1,813 | W | no | yes | no |
| Concord | 16,993 | MW | no | no | no |
| Conway | 1,809 | W | no | yes | no |
| Cummington | 978 | W | no | yes | no |
| Dalton | 6,892 | W | yes | no | no |
| Danvers | 25,212 | NE | yes | no | no |
| Dartmouth | 30,666 | SE | yes | no | no |
| Dedham | 23,464 | MW | no | no | yes |
| Deerfield | 4,750 | W | yes | no | no |
| Dennis | 15,973 | SE | yes | no | no |
| Dighton | 6,175 | SE | yes | no | no |
| Douglas | 7,045 | C | no | yes | no |
| Dover | 5,558 | MW | no | no | no |
| Dracut | 28,562 | NE | yes | no | no |
| Dudley | 10,036 | C | yes | no | no |
| Dunstable | 2,829 | C | yes | no | no |
| Duxbury | 14,248 | SE | yes | no | no |
| East Bridgewater | 12,974 | SE | no | no | no |
| East Brookfield | 2,097 | C | no | yes | no |
| East Longmeadow | 14,100 | W | yes | no | no |

| City/Town | 2000 Population | EOHHS Region | Funded BOH | Funded YAPPs | BOH mini-grants |
|------------------|-----------------|--------------|------------|--------------|-----------------|
| Eastham | 5,453 | SE | yes | no | no |
| Easthampton | 15,994 | W | yes | no | no |
| Easton | 22,299 | SE | no | no | no |
| Edgartown | 3,779 | SE | yes | no | no |
| Egremont | 1,345 | W | yes | no | no |
| Erving | 1,467 | W | no | yes | no |
| Essex | 3,267 | NE | no | yes | no |
| Everett | 38,037 | NE | yes | no | no |
| Fairhaven | 16,159 | SE | yes | no | no |
| Fall River | 91,938 | SE | yes | no | no |
| Falmouth | 32,660 | SE | yes | no | no |
| Fitchburg | 39,102 | C | yes | no | no |
| Florida | 676 | W | no | yes | no |
| Foxborough | 16,246 | SE | no | no | no |
| Framingham | 66,910 | MW | no | no | yes |
| Franklin | 29,560 | MW | no | no | no |
| Freetown | 8,472 | SE | no | no | no |
| Gardner | 20,770 | C | yes | no | no |
| Georgetown | 7,377 | NE | no | yes | yes |
| Gill | 1,363 | W | yes | no | no |
| Gloucester | 30,273 | NE | no | yes | yes |
| Goshen | 921 | W | no | yes | no |
| Gosnold | 86 | SE | no | no | no |
| Grafton | 14,894 | C | yes | no | no |
| Granby | 6,132 | W | yes | no | no |
| Granville | 1,521 | W | no | yes | no |
| Great Barrington | 7,527 | W | yes | no | no |
| Greenfield | 18,168 | W | yes | no | no |
| Groton | 9,547 | C | yes | no | no |
| Groveland | 6,038 | NE | no | yes | no |
| Hadley | 4,793 | W | no | yes | no |
| Halifax | 7,500 | SE | no | no | no |
| Hamilton | 8,315 | NE | no | yes | no |
| Hampden | 5,171 | W | no | yes | no |
| Hancock | 721 | W | no | yes | no |
| Hanover | 13,164 | MW | yes | no | no |
| Hanson | 9,495 | SE | no | no | no |
| Hardwick | 2,622 | C | yes | no | no |
| Harvard | 5,981 | C | no | no | no |
| Harwich | 12,386 | SE | yes | no | no |
| Hatfield | 3,249 | W | yes | no | no |
| Haverhill | 58,969 | NE | yes | no | no |
| Hawley | 336 | W | no | yes | no |
| Heath | 805 | W | yes | no | no |
| Hingham | 19,882 | MW | yes | no | no |

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YAPPs = Youth Access Prevention Programs

EOHHS Regions:

B = Boston
C = Central
MW = Metrowest
NE = Northeast
SE = Southeast
W = West

| City/Town | 2000 Population | EOHHS Region | Funded BOH | Funded YAPPs | BOH mini-grants |
|-----------------------|-----------------|--------------|------------|--------------|-----------------|
| Hinsdale | 1,872 | W | yes | no | no |
| Holbrook | 10,785 | MW | yes | no | no |
| Holden | 15,621 | C | yes | no | no |
| Holland | 2,407 | W | no | yes | no |
| Holliston | 13,801 | MW | no | no | yes |
| Holyoke | 39,838 | W | yes | no | no |
| Hopedale | 5,907 | C | no | yes | yes |
| Hopkinton | 13,346 | MW | no | no | no |
| Hubbardston | 3,909 | C | yes | no | no |
| Hudson | 18,113 | MW | yes | no | no |
| Hull | 11,050 | MW | yes | no | no |
| Huntington | 2,174 | W | no | yes | no |
| Ipswich | 12,987 | NE | no | yes | no |
| Kingston | 11,780 | SE | yes | no | no |
| Lakeville | 9,821 | SE | no | no | no |
| Lancaster | 7,380 | C | yes | no | no |
| Lanesborough | 2,990 | W | no | yes | no |
| Lawrence | 72,043 | NE | yes | no | no |
| Lee | 5,985 | W | yes | no | no |
| Leicester | 10,471 | C | yes | no | no |
| Lenox | 5,077 | W | yes | no | no |
| Leominster | 41,303 | C | yes | no | no |
| Leverett | 1,663 | W | no | yes | no |
| Lexington | 30,355 | MW | yes | no | no |
| Leyden | 772 | W | no | yes | no |
| Lincoln | 8,056 | MW | no | no | no |
| Littleton | 8,184 | C | yes | no | no |
| Longmeadow | 15,633 | W | yes | no | no |
| Lowell | 105,167 | NE | yes | no | no |
| Ludlow | 21,209 | W | yes | no | no |
| Lunenburg | 9,401 | C | no | no | no |
| Lynn | 89,050 | NE | yes | no | no |
| Lynnfield | 11,542 | NE | yes | no | no |
| Malden | 56,340 | NE | yes | no | no |
| Manchester by the Sea | 5,228 | NE | no | yes | no |
| Mansfield | 22,414 | SE | no | no | yes |
| Marblehead | 20,377 | NE | yes | no | no |
| Marion | 5,123 | SE | yes | no | no |
| Marlborough | 36,255 | MW | yes | no | no |
| Marshfield | 24,324 | SE | yes | no | no |
| Mashpee | 12,946 | SE | yes | no | no |
| Mattapoissett | 6,268 | SE | no | no | no |
| Maynard | 10,433 | C | yes | no | no |
| Medfield | 12,273 | MW | no | no | no |
| Medford | 55,765 | NE | yes | no | no |

| City/Town | 2000 Population | EOHHS Region | Funded BOH | Funded YAPPs | BOH mini-grants |
|------------------|-----------------|--------------|------------|--------------|-----------------|
| Medway | 12,448 | MW | no | no | yes |
| Melrose | 27,134 | NE | no | no | yes |
| Mendon | 5,286 | C | no | yes | yes |
| Merrimac | 6,138 | NE | no | yes | no |
| Methuen | 43,789 | NE | yes | no | no |
| Middleborough | 19,941 | SE | no | no | yes |
| Middlefield | 542 | W | no | yes | no |
| Middleton | 7,744 | NE | yes | no | no |
| Milford | 26,799 | C | no | yes | yes |
| Millbury | 12,784 | C | yes | no | no |
| Millis | 7,902 | MW | no | no | no |
| Millville | 2,724 | C | no | yes | yes |
| Milton | 26,062 | MW | yes | no | no |
| Monroe | 93 | W | no | yes | no |
| Monson | 8,359 | W | yes | no | no |
| Montague | 8,489 | W | yes | no | no |
| Monterey | 934 | W | yes | no | no |
| Montgomery | 654 | W | no | yes | no |
| Mount Washington | 130 | W | no | yes | no |
| Nahant | 3,632 | NE | yes | no | no |
| Nantucket | 9,520 | SE | yes | no | no |
| Natick | 32,170 | MW | no | no | yes |
| Needham | 28,911 | MW | yes | no | no |
| New Ashford | 247 | W | no | yes | no |
| New Bedford | 93,768 | SE | yes | no | no |
| New Braintree | 927 | C | yes | no | no |
| New Marlborough | 1,494 | W | yes | no | no |
| New Salem | 929 | W | no | yes | no |
| Newbury | 6,717 | NE | no | yes | yes |
| Newburyport | 17,189 | NE | yes | no | no |
| Newton | 83,829 | MW | yes | no | no |
| Norfolk | 10,460 | MW | no | no | no |
| North Adams | 14,681 | W | no | yes | no |
| North Andover | 27,202 | NE | yes | no | no |
| North Attleboro | 27,143 | SE | no | no | no |
| North Brookfield | 4,683 | C | no | yes | no |
| North Reading | 13,837 | NE | yes | no | no |
| Northampton | 28,978 | W | yes | no | no |
| Northborough | 14,013 | MW | yes | no | no |
| Northbridge | 13,182 | C | no | yes | yes |
| Northfield | 2,951 | W | no | yes | no |
| Norton | 18,036 | SE | no | no | yes |
| Norwell | 9,765 | MW | yes | no | no |
| Norwood | 28,587 | MW | no | no | yes |
| Oak Bluffs | 3,713 | SE | yes | no | no |

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SE = Southeast

W = West

| City/Town | 2000 Population | EOHHS Region | Funded BOH | Funded YAPPs | BOH mini-grants |
|--------------|-----------------|--------------|------------|--------------|-----------------|
| Oakham | 1,673 | C | yes | no | no |
| Orange | 7,518 | W | yes | no | no |
| Orleans | 6,341 | SE | yes | no | no |
| Otis | 1,365 | W | yes | no | no |
| Oxford | 13,352 | C | yes | no | no |
| Palmer | 12,497 | W | yes | no | no |
| Paxton | 4,386 | C | yes | no | no |
| Peabody | 48,129 | NE | yes | no | no |
| Pelham | 1,403 | W | no | yes | no |
| Pembroke | 16,927 | SE | no | no | no |
| Pepperell | 11,142 | C | no | no | no |
| Peru | 821 | W | no | yes | no |
| Petersham | 1,180 | C | yes | no | no |
| Phillipston | 1,621 | C | yes | no | no |
| Pittsfield | 45,793 | W | yes | no | no |
| Plainfield | 589 | W | no | yes | no |
| Plainville | 7,683 | SE | no | no | no |
| Plymouth | 51,701 | SE | yes | no | no |
| Plympton | 2,637 | SE | no | no | no |
| Princeton | 3,353 | C | no | no | no |
| Provincetown | 3,431 | SE | yes | no | no |
| Quincy | 88,025 | MW | yes | no | no |
| Randolph | 30,963 | MW | no | no | yes |
| Raynham | 11,739 | SE | no | no | no |
| Reading | 23,708 | NE | yes | no | no |
| Rehoboth | 10,172 | SE | no | no | no |
| Revere | 47,283 | B | yes | no | no |
| Richmond | 1,604 | W | no | yes | no |
| Rochester | 4,581 | SE | yes | no | no |
| Rockland | 17,670 | MW | yes | no | no |
| Rockport | 7,767 | NE | no | yes | no |
| Rowe | 351 | W | no | yes | no |
| Rowley | 5,500 | NE | no | yes | no |
| Royalston | 1,254 | C | yes | no | no |
| Russell | 1,657 | W | no | yes | no |
| Rutland | 6,353 | C | no | no | no |
| Salem | 40,407 | NE | yes | no | no |
| Salisbury | 7,827 | NE | no | yes | yes |
| Sandisfield | 824 | W | no | yes | no |
| Sandwich | 20,136 | SE | yes | no | no |
| Saugus | 26,078 | NE | yes | no | no |
| Savoy | 705 | W | no | yes | no |
| Scituate | 17,863 | MW | yes | no | no |
| Seekonk | 13,425 | SE | no | no | no |
| Sharon | 17,408 | SE | no | no | yes |
| Sheffield | 3,335 | W | yes | no | no |

| City/Town | 2000 Population | EOHHS Region | Funded BOH | Funded YAPPs | BOH mini-grants |
|--------------|-----------------|--------------|------------|--------------|-----------------|
| Shelburne | 2,058 | W | yes | no | no |
| Sherborn | 4,200 | MW | no | no | no |
| Shirley | 6,373 | C | yes | no | no |
| Shrewsbury | 31,640 | C | yes | no | no |
| Shutesbury | 1,810 | W | no | yes | no |
| Somerset | 18,234 | SE | yes | no | no |
| Somerville | 77,478 | B | yes | no | no |
| South Hadley | 17,196 | W | yes | no | no |
| Southampton | 5,387 | W | yes | no | no |
| Southborough | 8,781 | MW | yes | no | no |
| Southbridge | 17,214 | C | yes | no | no |
| Southwick | 8,835 | W | no | yes | no |
| Spencer | 11,691 | C | yes | no | no |
| Springfield | 152,082 | W | yes | no | no |
| Sterling | 7,257 | C | no | no | no |
| Stockbridge | 2,276 | W | yes | no | no |
| Stoneham | 22,219 | NE | yes | no | no |
| Stoughton | 27,149 | SE | no | no | no |
| Stow | 5,902 | C | yes | no | no |
| Sturbridge | 7,837 | C | yes | no | no |
| Sudbury | 16,841 | MW | no | no | no |
| Sunderland | 3,777 | W | yes | no | no |
| Sutton | 8,250 | C | no | yes | no |
| Swampscott | 14,412 | NE | yes | no | no |
| Swansea | 15,901 | SE | yes | no | no |
| Taunton | 55,976 | SE | yes | no | no |
| Templeton | 6,799 | C | yes | no | no |
| Tewksbury | 28,851 | NE | yes | no | no |
| Tisbury | 3,755 | SE | yes | no | no |
| Tolland | 426 | W | no | yes | no |
| Topsfield | 6,141 | NE | yes | no | no |
| Townsend | 9,198 | C | yes | no | no |
| Truro | 2,087 | SE | yes | no | no |
| Tyngsborough | 11,081 | NE | yes | no | no |
| Tyringham | 350 | W | no | yes | no |
| Upton | 5,642 | C | no | yes | yes |
| Uxbridge | 11,156 | C | no | yes | yes |
| Wakefield | 24,804 | NE | yes | no | no |
| Wales | 1,737 | W | no | yes | no |
| Walpole | 22,824 | MW | no | no | yes |
| Waltham | 59,226 | MW | yes | no | no |
| Ware | 9,707 | W | no | yes | no |
| Wareham | 20,335 | SE | yes | no | no |
| Warren | 4,776 | C | no | yes | no |
| Warwick | 750 | W | no | yes | no |
| Washington | 544 | W | no | yes | no |

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| City/Town | 2000 Population | EOHHS Region | Funded BOH | Funded YAPPs | BOH mini-grants |
|------------------|------------------|--------------|------------|--------------|-----------------|
| Watertown | 32,986 | MW | no | no | yes |
| Wayland | 13,100 | MW | no | no | no |
| Webster | 16,415 | C | yes | no | no |
| Wellesley | 26,613 | MW | yes | no | no |
| Wellfleet | 2,749 | SE | yes | no | no |
| Wendell | 986 | W | no | yes | no |
| Wenham | 4,440 | NE | no | yes | no |
| West Boylston | 7,481 | C | yes | no | no |
| West Bridgewater | 6,634 | SE | no | no | no |
| West Brookfield | 3,804 | C | no | yes | no |
| West Newbury | 4,149 | NE | no | yes | no |
| West Springfield | 27,899 | W | no | yes | no |
| West Stockbridge | 1,416 | W | no | yes | no |
| West Tisbury | 2,467 | SE | yes | no | no |
| Westborough | 17,997 | MW | yes | no | no |
| Westfield | 40,072 | W | no | yes | no |
| Westford | 20,754 | NE | yes | no | no |
| Westhampton | 1,468 | W | no | yes | no |
| Westminster | 6,907 | C | yes | no | no |
| Weston | 11,469 | MW | no | no | no |
| Westport | 14,183 | SE | yes | no | no |
| Westwood | 14,117 | MW | no | no | no |
| Weymouth | 53,988 | MW | yes | no | no |
| Whately | 1,573 | W | yes | no | no |
| Whitman | 13,882 | SE | yes | no | no |
| Wilbraham | 13,473 | W | yes | no | no |
| Williamsburg | 2,427 | W | yes | no | no |
| Williamstown | 8,424 | W | no | yes | no |
| Wilmington | 21,363 | MW | yes | no | no |
| Winchendon | 9,611 | C | yes | no | no |
| Winchester | 20,810 | MW | yes | no | no |
| Windsor | 875 | W | no | yes | no |
| Winthrop | 18,303 | B | no | no | no |
| Woburn | 37,258 | MW | no | no | no |
| Worcester | 172,648 | C | yes | no | no |
| Worthington | 1,270 | W | no | yes | no |
| Wrentham | 10,554 | SE | no | no | no |
| Yarmouth | 24,807 | SE | yes | no | no |
| Total | 6,349,097 | | | | |

Appendix B - FY 2008 Compliance Checks in Funded Boards of Health

| City/Town | # of checks conducted | # of illegal sales | Illegal sales rate |
|------------|-----------------------|--------------------|--------------------|
| Abington | 117 | 8 | 6.84% |
| Acton | 16 | 1 | 6.25% |
| Acushnet | 13 | 1 | 7.69% |
| Amherst | 60 | 5 | 8.33% |
| Andover | 57 | 3 | 5.26% |
| Aquinnah | 1 | 1 | 100% |
| Ashburnham | 15 | 0 | 100% |
| Ashby | 9 | 0 | 0% |
| Ashland | 63 | 4 | 6.35% |
| Athol | 59 | 2 | 3.39% |
| Auburn | 66 | 6 | 9.09% |
| Ayer | 32 | 1 | 3.13% |
| Barnstable | 85 | 6 | 7.06% |
| Barre | 24 | 1 | 4.17% |
| Belmont | 80 | 8 | 10% |
| Berlin | 14 | 2 | 14.29% |
| Beverly | 105 | 14 | 13.33% |
| Billerica | 102 | 0 | 0% |
| Bolton | 11 | 1 | 9.09% |
| Boston | 3440 | 250 | 7.27% |
| Bourne | 74 | 1 | 1.35% |
| Boxborough | 12 | 0 | 0% |
| Boylston | 7 | 2 | 28.57% |
| Braintree | 179 | 11 | 6.15% |
| Brewster | 30 | 4 | 13.33% |
| Brimfield | 9 | 0 | 0% |
| Brookline | 164 | 15 | 9.15% |
| Buckland | 4 | 0 | 0% |
| Burlington | 91 | 1 | 1.10% |
| Cambridge | 369 | 28 | 7.59% |
| Carver | 44 | 1 | 2.27% |
| Charlton | 26 | 4 | 15.38% |
| Chatham | 21 | 4 | 19.05% |
| Chelmsford | 71 | 3 | 4.23% |
| Chelsea | 175 | 9 | 5.14% |
| Chilmark | 4 | 0 | 0% |
| Clinton | 78 | 1 | 1.28% |
| Cohasset | 48 | 1 | 2.08% |
| Dalton | 24 | 2 | 8.33% |
| Danvers | 99 | 17 | 17.17% |
| Dartmouth | 92 | 5 | 5.43% |
| Deerfield | 18 | 2 | 11.11% |

| City/Town | # of checks conducted | # of illegal sales | Illegal sales rate |
|------------------|-----------------------|--------------------|--------------------|
| Dennis | 52 | 7 | 13.46% |
| Dighton | 17 | 1 | 5.88% |
| Dracut | 87 | 11 | 12.64% |
| Dudley | 33 | 1 | 3.03% |
| Dunstable | 4 | 2 | 50% |
| Duxbury | 39 | 0 | 0% |
| East Longmeadow | 51 | 5 | 9.80% |
| Eastham | 20 | 3 | 15% |
| Easthampton | 48 | 3 | 6.25% |
| Edgartown | 21 | 1 | 4.76% |
| Egremont | 7 | 0 | 0% |
| Everett | 216 | 25 | 11.57% |
| Fairhaven | 78 | 3 | 3.85% |
| Fall River | 475 | 38 | 8% |
| Falmouth | 123 | 11 | 8.94% |
| Fitchburg | 167 | 16 | 9.58% |
| Gardner | 83 | 2 | 2.41% |
| Gill | 6 | 0 | 0% |
| Grafton | 36 | 1 | 2.78% |
| Granby | 18 | 1 | 5.56% |
| Great Barrington | 49 | 3 | 6.12% |
| Greenfield | 83 | 5 | 6.02% |
| Groton | 29 | 2 | 6.90% |
| Hanover | 75 | 4 | 5.33% |
| Hardwick | 9 | 0 | 0% |
| Harwich | 58 | 0 | 0% |
| Hatfield | 10 | 0 | 0% |
| Haverhill | 244 | 22 | 9.04% |
| Heath | 4 | 0 | 0% |
| Hingham | 88 | 8 | 9.09% |
| Hinsdale | 7 | 0 | 0% |
| Holbrook | 77 | 2 | 2.60% |
| Holden | 31 | 2 | 6.45% |
| Holyoke | 200 | 45 | 22.50% |
| Hubbardston | 6 | 1 | 16.67% |
| Hudson | 56 | 6 | 10.71% |
| Hull | 46 | 5 | 10.87% |
| Kingston | 76 | 1 | 1.32% |
| Lancaster | 6 | 0 | 0% |
| Lawrence | 356 | 24 | 6.74% |
| Lee | 60 | 2 | 3.33% |
| Leicester | 32 | 3 | 9.38% |
| Lenox | 33 | 0 | 0% |
| Leominster | 174 | 7 | 4.02% |
| Lexington | 54 | 0 | 0% |
| Littleton | 28 | 2 | 7.14% |

| City/Town | # of checks conducted | # of illegal sales | Illegal sales rate |
|-----------------|-----------------------|--------------------|--------------------|
| Longmeadow | 34 | 1 | 2.94% |
| Lowell | 531 | 43 | 8.10% |
| Ludlow | 92 | 3 | 3.26% |
| Lynn | 389 | 29 | 7.46% |
| Lynnfield | 21 | 3 | 14.29% |
| Malden | 142 | 35 | 25% |
| Marblehead | 35 | 3 | 8.57% |
| Marion | 12 | 0 | 0% |
| Marlborough | 122 | 28 | 22.99% |
| Marshfield | 87 | 0 | 0% |
| Mashpee | 39 | 1 | 2.56% |
| Maynard | 42 | 1 | 2.38% |
| Medford | 127 | 35 | 27.56% |
| Methuen | 187 | 9 | 4.81% |
| Middleton | 35 | 1 | 2.86% |
| Millbury | 43 | 3 | 6.98% |
| Milton | 33 | 6 | 18.18% |
| Monson | 27 | 0 | 0% |
| Montague | 27 | 0 | 0% |
| Monterey | 2 | 1 | 50% |
| Nahant | 11 | 2 | 18.18% |
| Nantucket | 51 | 5 | 9.80% |
| Needham | 57 | 0 | 0% |
| New Bedford | 442 | 24 | 5.43% |
| New Braintree | 2 | 0 | 0% |
| New Marlborough | 2 | 0 | 0% |
| Newburyport | 74 | 6 | 8.11% |
| Newton | 239 | 16 | 6.69% |
| North Andover | 81 | 10 | 12.35% |
| North Reading | 63 | 2 | 3.17% |
| Northampton | 89 | 10 | 11.24% |
| Northborough | 43 | 4 | 9.30% |
| Norwell | 43 | 2 | 4.65% |
| Oak Bluffs | 14 | 0 | 0% |
| Oakham | 6 | 0 | 0% |
| Orange | 39 | 2 | 5.13% |
| Orleans | 25 | 3 | 12% |
| Otis | 19 | 3 | 15.79% |
| Oxford | 57 | 2 | 3.51% |
| Palmer | 65 | 1 | 1.54% |
| Paxton | 7 | 0 | 0% |
| Peabody | 153 | 27 | 17.65% |
| Petersham | 5 | 0 | 0% |
| Phillipston | 7 | 0 | 0% |
| Pittsfield | 180 | 12 | 6.67% |

| City/Town | # of checks conducted | # of illegal sales | Illegal sales rate |
|--------------|-----------------------|--------------------|--------------------|
| Plymouth | 210 | 16 | 7.62% |
| Provincetown | 40 | 3 | 7.50% |
| Quincy | 444 | 11 | 2.48% |
| Reading | 92 | 2 | 2.17% |
| Revere | 204 | 12 | 5.88% |
| Rochester | 6 | 1 | 16.67% |
| Rockland | 79 | 7 | 8.86% |
| Royalston | 3 | 0 | 0% |
| Salem | 160 | 15 | 9.38% |
| Sandwich | 49 | 4 | 8.16% |
| Saugus | 97 | 14 | 14.43% |
| Scituate | 53 | 2 | 3.77% |
| Sheffield | 12 | 5 | 41.67% |
| Shelburne | 19 | 0 | 0% |
| Shirley | 12 | 0 | 0% |
| Shrewsbury | 69 | 4 | 5.80% |
| Somerset | 83 | 6 | 7.23% |
| Somerville | 401 | 29 | 7.23% |
| South Hadley | 39 | 6 | 15.38% |
| Southampton | 20 | 1 | 5% |
| Southborough | 27 | 1 | 3.70% |
| Southbridge | 65 | 7 | 10.77% |
| Spencer | 34 | 1 | 2.94% |
| Springfield | 796 | 151 | 18.97% |
| Stockbridge | 15 | 2 | 13.33% |
| Stoneham | 75 | 4 | 5.33% |
| Stow | 21 | 0 | 0% |
| Sturbridge | 46 | 5 | 10.87% |
| Sunderland | 13 | 0 | 0% |
| Swampscott | 25 | 2 | 8% |
| Swansea | 61 | 17 | 27.87% |
| Taunton | 173 | 44 | 25.43% |
| Templeton | 32 | 2 | 6.25% |
| Tewksbury | 57 | 0 | 0% |
| Tisbury | 14 | 0 | 0% |
| Topsfield | 10 | 1 | 10% |
| Townsend | 27 | 1 | 3.70% |
| Truro | 10 | 3 | 30% |
| Tyngsborough | 15 | 0 | 0% |
| Wakefield | 52 | 9 | 17.31% |
| Waltham | 272 | 32 | 11.76% |
| Wareham | 112 | 5 | 4.46% |
| Watertown | 81 | 7 | 8.64% |
| Webster | 68 | 7 | 10.29% |
| Wellesley | 56 | 7 | 12.50% |
| Wellfleet | 24 | 4 | 16.67% |

| City/Town | # of checks conducted | # of illegal sales | Illegal sales rate |
|---------------|-----------------------|--------------------|--------------------|
| West Boylston | 25 | 3 | 12% |
| West Tisbury | 7 | 0 | 0% |
| Westborough | 51 | 2 | 3.92% |
| Westford | 36 | 0 | 0% |
| Westminster | 19 | 0 | 0% |
| Westport | 72 | 7 | 9.72% |
| Weymouth | 274 | 13 | 4.74% |
| Whately | 9 | 0 | 0% |
| Whitman | 73 | 4 | 5.48% |
| Wilbraham | 54 | 1 | 1.85% |
| Williamsburg | 14 | 0 | 0% |
| Wilmington | 41 | 4 | 9.76% |
| Winchendon | 36 | 0 | 0% |
| Winchester | 27 | 0 | 0% |
| Worcester | 546 | 55 | 10.07% |
| Yarmouth | 57 | 1 | 1.75% |
| Total | 18,893 | 1,573 | 8.33% |

This data is from the MTCP Compliance Check database.

Appendix C - FY 2008 Funded Board of Health Enforcement Summary

| City/Town | Number of Fines | Total Amount of Fines | Number of Permit Suspensions | Total Days of Permit Suspensions |
|-----------------|-----------------|-----------------------|------------------------------|----------------------------------|
| Abington | 0 | \$3,600 | 4 | 12 |
| Acton | 1 | \$200 | 0 | 0 |
| Acushnet | 0 | \$100 | 0 | 0 |
| Amherst | 6 | \$600 | 0 | 0 |
| Andover | 1 | \$200 | 1 | 1 |
| Aquinnah | 1 | \$100 | 0 | 0 |
| Ashland | 2 | \$200 | 0 | 0 |
| Athol | 0 | - | 0 | 0 |
| Auburn | 4 | \$800 | 0 | 0 |
| Ayer | 0 | - | 0 | 0 |
| Barnstable | 3 | \$400 | 0 | 0 |
| Barre | 1 | \$100 | 0 | 0 |
| Belmont | 8 | \$1,100 | 0 | 0 |
| Berlin | 1 | \$100 | 0 | 0 |
| Beverly | 7 | \$800 | 4 | 28 |
| Billerica | 1 | \$100 | 0 | 0 |
| Bolton | 0 | - | 0 | 0 |
| Boston | 230 | \$28,700 | 25 | 135 |
| Bourne | 1 | \$100 | 0 | 0 |
| Braintree | 10 | \$1,400 | 10 | 60 |
| Brewster | 4 | \$600 | 0 | 0 |
| Brookline | 17 | \$2,600 | 0 | 0 |
| Burlington | 1 | \$50 | 0 | 0 |
| Cambridge | 28 | \$3,400 | 0 | 0 |
| Carver | 2 | \$100 | 0 | 0 |
| Charlton | 2 | \$200 | 0 | 0 |
| Chatham | 5 | \$1,000 | 0 | 0 |
| Chelmsford | 2 | \$200 | 0 | 0 |
| Chelsea | 9 | \$1,000 | 0 | 0 |
| Chilmark | 0 | - | 0 | 0 |
| Clinton | 0 | - | 0 | 0 |
| Cohasset | 0 | - | 0 | 0 |
| Dalton | 1 | \$300 | 0 | 0 |
| Danvers | 17 | \$2,600 | 3 | 44 |
| Dartmouth | 2 | \$500 | 2 | 37 |
| Deerfield | 2 | \$100 | 0 | 0 |
| Dennis | 2 | \$125 | 0 | 0 |
| Dighton | 0 | - | 0 | 0 |
| Dracut | 0 | - | 0 | 0 |
| Dunstable | 0 | - | 2 | 14 |
| East Longmeadow | 0 | - | 0 | 0 |

| City/Town | Number of Fines | Total Amount of Fines | Number of Permit Suspensions | Total Days of Permit Suspensions |
|------------------|-----------------|-----------------------|------------------------------|----------------------------------|
| Eastham | 1 | \$100 | 0 | 0 |
| Easthampton | 3 | \$300 | 0 | 0 |
| Edgartown | 2 | \$100 | 0 | 0 |
| Everett | 0 | - | 9 | 27 |
| Fairhaven | 3 | \$300 | 0 | 0 |
| Fall River | 38 | \$4,700 | 0 | 0 |
| Falmouth | 8 | \$200 | 0 | 0 |
| Fitchburg | 5 | \$500 | 2 | 6 |
| Gardner | 2 | \$100 | 2 | 6 |
| Granby | 1 | \$100 | 0 | 0 |
| Great Barrington | 0 | - | 0 | 0 |
| Greenfield | 2 | \$400 | 0 | 0 |
| Groton | 0 | - | 0 | 0 |
| Hanover | 4 | \$500 | 0 | 0 |
| Haverhill | 22 | \$2,900 | 0 | 0 |
| Hingham | 5 | \$600 | 0 | 0 |
| Holbrook | 1 | \$250 | 2 | 40 |
| Holden | 1 | - | 0 | 0 |
| Holyoke | 45 | \$6,400 | 2 | 10 |
| Hudson | 5 | \$500 | 0 | 0 |
| Hull | 4 | \$900 | 1 | 30 |
| Kingston | 0 | - | 0 | 0 |
| Lawrence | 19 | \$2,000 | 0 | 0 |
| Lee | 2 | \$750 | 1 | 14 |
| Leicester | 1 | \$100 | 0 | 0 |
| Lenox | 6 | \$1,800 | 3 | 21 |
| Leominster | 7 | \$900 | 0 | 0 |
| Littleton | 0 | - | 0 | 0 |
| Longmeadow | 1 | \$100 | 0 | 0 |
| Lowell | 30 | \$4,700 | 1 | 1 |
| Ludlow | 3 | \$300 | 0 | 0 |
| Lynn | 26 | \$4,000 | 0 | 0 |
| Lynnfield | 3 | \$300 | 0 | 0 |
| Malden | 32 | \$5,000 | 0 | 0 |
| Marblehead | 3 | \$300 | 0 | 0 |
| Marlborough | 13 | \$1,300 | 0 | 0 |
| Mashpee | 1 | \$100 | 0 | 0 |
| Maynard | 1 | \$100 | 0 | 0 |
| Medford | 30 | \$3,400 | 0 | 0 |
| Methuen | 9 | \$2,700 | 0 | 0 |
| Middleton | 3 | \$300 | 0 | 0 |
| Millbury | 2 | \$200 | 0 | 0 |
| Milton | 7 | \$1,000 | 1 | 10 |
| Monterey | 0 | - | 0 | 0 |

| City/Town | Number of Fines | Total Amount of Fines | Number of Permit Suspensions | Total Days of Permit Suspensions |
|---------------|-----------------|-----------------------|------------------------------|----------------------------------|
| Nahant | 0 | - | 0 | 0 |
| Nantucket | 4 | \$400 | 0 | 0 |
| New Bedford | 18 | \$2,600 | 4 | 51 |
| Newburyport | 6 | \$250 | 0 | 0 |
| Newton | 15 | \$1,800 | 0 | 0 |
| North Andover | 10 | \$1,400 | 4 | 17 |
| North Reading | 2 | \$300 | 0 | 0 |
| Northampton | 10 | \$1,400 | 0 | 0 |
| Northborough | 3 | \$600 | 2 | 14 |
| Norwell | 2 | \$400 | 0 | 0 |
| Orange | 1 | \$100 | 0 | 0 |
| Orleans | 3 | \$700 | 0 | 0 |
| Otis | 0 | - | 0 | 0 |
| Oxford | 1 | \$100 | 0 | 0 |
| Palmer | 1 | \$100 | 0 | 0 |
| Peabody | 27 | \$5,200 | 0 | 0 |
| Pittsfield | 8 | \$3,050 | 6 | 118 |
| Plymouth | 10 | \$2,100 | 3 | 28 |
| Provincetown | 3 | \$300 | 0 | 0 |
| Quincy | 4 | \$500 | 0 | 0 |
| Reading | 2 | \$200 | 0 | 0 |
| Revere | 12 | \$1,500 | 0 | 0 |
| Rochester | 2 | \$300 | 0 | 0 |
| Rockland | 7 | \$1,700 | 4 | 12 |
| Salem | 6 | \$1,100 | 0 | 0 |
| Sandwich | 4 | \$400 | 0 | 0 |
| Saugus | 15 | \$2,700 | 8 | 125 |
| Scituate | 1 | \$100 | 0 | 0 |
| Sheffield | 0 | - | 0 | 0 |
| Somerset | 6 | \$700 | 1 | 3 |
| Somerville | 29 | \$3,800 | 2 | 28 |
| South Hadley | 6 | \$800 | 0 | 0 |
| Southampton | 1 | \$100 | 0 | 0 |
| Southborough | 1 | - | 0 | 0 |
| Southbridge | 3 | \$300 | 0 | 0 |
| Spencer | 1 | - | 0 | 0 |
| Springfield | 172 | \$20,300 | 0 | 0 |
| Stockbridge | 1 | \$500 | 1 | 30 |
| Stoneham | 4 | \$400 | 0 | 0 |
| Sturbridge | 0 | - | 0 | 0 |
| Swampscott | 6 | \$1,000 | 0 | 0 |
| Swansea | 7 | \$700 | 0 | 0 |
| Taunton | 11 | \$1,100 | 0 | 0 |
| Templeton | 1 | \$100 | 0 | 0 |

| City/Town | Number of Fines | Total Amount of Fines | Number of Permit Suspensions | Total Days of Permit Suspensions |
|---------------|-----------------|-----------------------|------------------------------|----------------------------------|
| Townsend | 0 | - | 0 | 0 |
| Truro | 3 | \$400 | 1 | 7 |
| Wakefield | 14 | \$1,200 | 0 | 0 |
| Waltham | 17 | \$2,400 | 0 | 0 |
| Wareham | 5 | \$800 | 0 | 0 |
| Webster | 6 | \$600 | 0 | 0 |
| Wellesley | 7 | \$1,300 | 0 | 0 |
| Wellfleet | 3 | \$300 | 0 | 0 |
| West Boylston | 1 | - | 0 | 0 |
| Westport | 7 | \$1,000 | 0 | 0 |
| Weymouth | 11 | \$2,000 | 4 | 51 |
| Whitman | 4 | \$425 | 1 | 7 |
| Wilbraham | 1 | \$200 | 0 | 0 |
| Wilmington | 3 | \$900 | 0 | 0 |
| Worcester | 15 | \$2,100 | 2 | 10 |
| Yarmouth | 1 | \$100 | 0 | 0 |
| Total | 1249 | \$170,600 | 122 | 1031 |

Source: MTCP Management Information System (MIS) Data.
 Funded boards of health submit monthly MIS forms.

Appendix D - FY 2008 Compliance Checks in Municipalities without Funded Boards of Health

| City/Town | Number of checks conducted | Number of illegal sales | Illegal sales rate |
|-----------------|----------------------------|-------------------------|--------------------|
| Adams | 16 | 1 | 6.25% |
| Agawam | 43 | 5 | 11.63% |
| Amesbury | 13 | 1 | 7.69% |
| Arlington | 53 | 12 | 22.64% |
| Ashfield | 2 | 1 | 50.00% |
| Avon | 9 | 2 | 22.22% |
| Becket | 2 | 0 | 0% |
| Bedford | 9 | 1 | 11.11% |
| Belchertown | 23 | 5 | 21.74% |
| Bellingham | 95 | 16 | 16.84% |
| Bernardston | 4 | 1 | 25.00% |
| Blackstone | 21 | 0 | 0% |
| Blandford | 3 | 0 | 0% |
| Boxford | 1 | 0 | 0% |
| Brookfield | 6 | 1 | 0% |
| Canton | 21 | 0 | 0% |
| Charlemont | 10 | 2 | 20.00% |
| Cheshire | 4 | 1 | 25.00% |
| Chester | 2 | 0 | 0% |
| Chesterfield | 2 | 0 | 0% |
| Chicopee | 101 | 40 | 39.60% |
| Clarksburg | 2 | 0 | 0% |
| Colrain | 2 | 0 | 0% |
| Conway | 4 | 0 | 0% |
| Cummington | 2 | 0 | 0% |
| Dedham | 34 | 2 | 5.88% |
| Douglas | 11 | 0 | 0% |
| East Brookfield | 4 | 0 | 0% |
| Easton | 31 | 15 | 48.39% |
| Erving | 1 | 0 | 0% |
| Essex | 5 | 0 | 0% |
| Florida | 2 | 0 | 0% |
| Framingham | 68 | 5 | 7.35% |
| Georgetown | 13 | 0 | 0% |
| Gloucester | 96 | 12 | 12.50% |
| Goshen | 2 | 0 | 0% |
| Granville | 2 | 0 | 0% |
| Groveland | 6 | 0 | 0% |

| City/Town | Number of checks conducted | Number of illegal sales | Illegal sales rate |
|------------------|----------------------------|-------------------------|--------------------|
| Hadley | 26 | 5 | 19.23% |
| Halifax | 9 | 7 | 77.78% |
| Hamilton | 8 | 3 | 37.50% |
| Hampden | 8 | 3 | 37.50% |
| Hancock | 1 | 0 | 0% |
| Holland | 3 | 0 | 0% |
| Holliston | 10 | 1 | 10% |
| Hopedale | 12 | 1 | 8.33% |
| Huntington | 8 | 0 | 0% |
| Ipswich | 12 | 1 | 8.33% |
| Lakeville | 6 | 5 | 83.33% |
| Lanesborough | 12 | 1 | 8.33% |
| Leverette | 2 | 0 | 0% |
| Manchester | 6 | 2 | 33.33% |
| Mansfield | 26 | 4 | 15.38% |
| Medway | 13 | 2 | 15.38% |
| Melrose | 36 | 2 | 5.56% |
| Mendon | 11 | 0 | 0% |
| Merrimac | 3 | 0 | 0% |
| Middleborough | 24 | 4 | 16.67% |
| Milford | 114 | 5 | 4.39% |
| Millville | 12 | 1 | 8.33% |
| Natick | 31 | 2 | 6.45% |
| New Salem | 1 | 0 | 0% |
| Newbury | 13 | 1 | 7.69% |
| North Adams | 37 | 2 | 5.41% |
| North Brookfield | 8 | 1 | 12.50% |
| Northbridge | 77 | 3 | 3.90% |
| Northfield | 6 | 4 | 66.67% |
| Norton | 47 | 9 | 19.15% |
| Norwood | 80 | 5 | 6.25% |
| Pepperell | 6 | 3 | 50% |
| Plainfield | 1 | 0 | 0% |
| Randolph | 38 | 4 | 10.53% |
| Rockport | 6 | 3 | 50% |
| Rowley | 6 | 0 | 0% |
| Russell | 4 | 1 | 25% |
| Salisbury | 44 | 12 | 27.27% |
| Sandisfield | 2 | 0 | 0% |
| Savoy | 2 | 0 | 0% |
| Sharon | 5 | 2 | 40% |
| Southwick | 16 | 0 | 0% |
| Stoughton | 33 | 15 | 45.45% |

| City/Town | Number of checks conducted | Number of illegal sales | Illegal sales rate |
|------------------|----------------------------|-------------------------|--------------------|
| Sutton | 14 | 2 | 14.29% |
| Upton | 24 | 3 | 12.50% |
| Uxbridge | 56 | 0 | 0% |
| Wales | 2 | 0 | 0% |
| Walpole | 51 | 1 | 1.96% |
| Ware | 24 | 5 | 20.83% |
| Warren | 11 | 2 | 18.18% |
| Wendell | 1 | 0 | 0% |
| Wenham | 1 | 0 | 0% |
| West Brookfield | 8 | 2 | 25% |
| West Newbury | 1 | 0 | 0% |
| West Springfield | 57 | 20 | 35.09% |
| West Stockbridge | 4 | 0 | 0% |
| Westfield | 44 | 8 | 18.18% |
| Westhampton | 2 | 1 | 50% |
| Williamstown | 13 | 0 | 0% |
| Windsor | 4 | 1 | 25% |
| Winthrop | 19 | 13 | 68.42% |
| Worthington | 2 | 0 | 0% |
| Total | 1,888 | 295 | 15.6% |

Data is from MTCP Compliance Check database

Appendix E - FY 2004 - FY 2008 Chain Store Sales Summary

| Chain Store | FY 2004 Sales Rate | FY 2005 Sales Rate | FY 2006 Sales Rate | FY 2007 Sales Rate | FY 2008 Sales Rate |
|-------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| 7-11/Seven-Eleven | 22% | 15% | 16% | 12% | 11% |
| Big Y Supermarket | N/A | 13% | 9% | 6% | 8% |
| Brooks | 9% | 7% | 7% | 5% | 10% |
| Citgo | 26% | 14% | 20% | 13% | 18% |
| Cumberland Farms | 17% | 15% | 14% | 12% | 7% |
| CVS | 14% | 11% | 10% | 5% | 7% |
| Exxon Mobil | 21% | 17% | 15% | 10% | 12% |
| Getty | 22% | 18% | 18% | 14% | 15% |
| Hess | 19% | 18% | 21% | 15% | 10% |
| Honey Farms | N/A | 19% | 10% | 17% | 18% |
| K-Mart | N/A | 6% | 0% | 0% | 0% |
| Lil Peach | N/A | 4% | 6% | 1% | 11% |
| Market Basket | N/A | 5% | 8% | 4% | 2% |
| Price Chopper | N/A | 7% | 10% | 3% | 0% |
| Shaws | N/A | 4% | 2% | 2% | 3% |
| Shell | 22% | 18% | 17% | 11% | 14% |
| Stop & Shop | N/A | 6% | 10% | 8% | 8% |
| Star Market | N/A | N/A | 8% | 3% | 9% |
| Store 24 | 8% | 7% | 7% | 4% | 5% |
| Sunoco | 15% | 10% | 10% | 13% | 8% |
| Tedeschi | N/A | 10% | 12% | 6% | 7% |
| Texaco | 30% | 12% | 16% | 7% | 5% |
| Walgreens | 7% | 5% | 10% | 6% | 2% |
| Wal Mart | N/A | 4% | 4% | 1% | 7% |
| White Hen | 15% | 19% | 16% | 10% | 15% |
| Xtra Mart | N/A | 22% | 19% | 15% | 9% |

This report is available for download at www.mass.gov/dph/mtcp.