

Illegal Tobacco Task Force Minutes

Meeting Date: September 23, 2019

Meeting Time: 10:30am

Meeting Location: 100 Cambridge Street, 2nd Floor, Conference Room A

Board Members Present: Marikae Toye (Co-Chair), Maj. Steve Fennessey (Co-Chair), Susan Terrey, Jennifer Zalnasky, Amber Villa, Michael Sweeney.

Others: Evan Garcia, Brenda McConville, Bensen Solivan, Josh Brabazon, Jovani Fox, Jonathan Shaer, Michael D’Ortenzio, Scott Delaney, Maggie Cohen, Kevin Brown, St. Pat Johnson, Kristina Pressa, Warren Lent.

Call to Order:

- Meeting was called to order at 10:34 by Ms. Toye.
- Task Force Members were called to review and approve the prior meeting minutes. Ms. Toye abstained from voting on the minutes
 - Motion to approve was made by Maj. Fennessey
 - Ms. Villa seconded the motion
 - Minutes were approved
- Ms. Toye introduced herself as the new Co-Chair of the Illegal Tobacco Task Force. It was announced in previous meetings that Mr. Chattopadhyay was stepping down as co-chair to attend school. She gave an overview of what was to be covered in the day’s meeting.
- She states she will add storage issues to the agenda going toward to keep the conversation going.

Pending Legislation Discussion:

- Ms. Toye opened the floor for discussion on the pending legislation at the State House as it relates to vaping.
- John Shaer of NECSEMA and Mike D’Ortenzio of J. Polep Distribution asked to address the Task Force with their take and opinions on the legislation and the state of the black market.
- Mr. Shaer and Mr. D’Ortenzio provided insight on the demands of the black market and how border towns are booming in illegal business. Mr. D’Ortenzio referenced activity in New Hampshire and Connecticut. They also support the idea of instituting a “Track & Trace” program to keep tabs. They feel banning products altogether isn’t the answer.
- Together, Mr. Shaer and Mr. D’Ortenzio share concern for the youth vaping crisis and their gravitation towards flavored products, and the ease of getting products both online and on the black market.
- Task Force Member Mr. Sweeney reminded the Task Force of his stance on vaping and how as

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the Task Force, everyone should be prepared for what is to come. He expressed ideas on how to assist with cross-agency partnership, and the impact on the Commonwealth.

Seized Product Discussion:

- Keeping the discussion open on the challenges of storing seized product, Ms. Toye asked Pat Johnson of the MA State Police to give an update on the current storage issues.
- On hand, according to Mr. Johnson, the State Police have 20ft and 40ft non-ventilated steel containers that are being used for storage. The 20ft container is at capacity, and the 40ft container is about three quarters full. Each containing old, rotten materials. The 20ft container, according to Mr. Johnson contains product evidence from just 1 tobacco case alone.
- The State Police also have a section of space at the Milford Correctional Facility says Mr. Johnson. Currently no Tobacco is being housed there yet.
- An idea from Mr. D'Ortenzio was to reach out and see if there are any 3rd Party storage facilities that can be tapped for resources. He mentioned tapping into certain bonded storage facilities that currently hold manufactured product that is being readied for sale.
- How to destroy and when to destroy was also brought to the floor for discussion. Ms. Toye states she will be researching the ramifications of what the Task Force can destroy and when. Mr. Johnson says sometimes cases can take up to a year or more to close before product can be destructed.
- Mr. Sweeney says the Task Force should make plans to secure funding and financial approval for storage and destruction efforts. Scott Delaney of Altria also suggested the Task Force connect with Molly Slingerland, also from Altria, as she may have ideas on destruction logistics, etc.

Other Business

- The next meeting was set for November 19, 2019 at 10:30am.

Meeting was adjourned at 11:18am by Ms. Toye