

Illegal Tobacco Task Force Minutes

Meeting Date: November 2, 2017

Meeting Time: 10:30am

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

Board Members Present: Kajal Chattopadhyay (Co-Chair), Capt. Steve Fennessy (Co-Chair), Christy Fedor, Patricia Henley, Tom Bocian, Shawn Collins, Jennifer Roedel (on behalf of EOPSS)

Others: Dan Less, Brenda McConville, Blanca Lo, Evan Garcia, Alex Finkel, Victor Solorzano, Peter French, John Brabazon, Paul D'Amore, David Cahill, Kathy Bell, Bensen Solivan, Casey Harvell, Scott Delaney, Molly Slingerland.

Call to Order:

- Meeting was called to order by Mr. Chattopadhyay at 10:40am.
- A brief recap of the previous meeting in September was given by Mr. Chattopadhyay.
- The Task Force was asked to review the minutes from the last meeting.
 - Mr. Bocian made a motion to approve the minutes.
 - The motion was seconded by Ms. Fedor.
 - The minutes were unanimously approved.

Member Update/Housekeeping Items:

- Mr. Chattopadhyay asked each Task Force agency to give a brief update on their activity.
 - DOR – A job posting for a new tobacco inspector has been approved and published, according to Mr. Chattopadhyay. The search for an additional investigator is progressing and the expectation is that a new person will be hired very shortly.
 - DPH – They are continuing to pilot the Retail Data Management System (RDMS), which will facilitate inter-agency communications regarding enforcement actions. According to DPH, technical issues were discovered and are being addressed. The plan is to have the system up and running in the spring.
 - AGO – No update
 - TRE – No update
 - EOPSS – No update

Legislative Update:

- According to Mr. Chattopadhyay, both the House and Senate overrode the Governor's reduction of the Task Force budget from \$900K to \$600K. As a result, the Task Force budget was restored to \$900K for FY18.

- The Task Force's tobacco bill (SB1614) is currently being reviewed by the Revenue Committee and is expected to be voted out of committee shortly.

FDA Follow Up/Smokeless Tobacco Stamping:

- Task Force members from DPH and AGO offered follow-up questions to submit to the FDA.
- Additional comments from other members of the Task Force included:
 - How many warning plans need to be submitted
 - Question on whether plastic re-sleeved bags would need separate warning labels
 - Would the FDA be willing to review stamped samples for further feedback and guidance
- No additional questions were added for submission.

SICPA Presentation – Alex Finkel:

- Mr. Chattopadhyay opened the floor to Mr. Finkel for his presentation on the SICPATrace platform and its OTP stamping machine functionality and capabilities.
- During his presentation, Mr. Finkel outlined the potential revenue impact to Massachusetts from stamping smokeless tobacco products. Mr. Finkel states that stamping such products gives states the means to identify and create stricter market controls.
- Mr. Finkel outlined several benefits of stamping smokeless tobacco products, including allowing for expanded inspection capability and providing additional tools to assist with enforcement efforts.
- Mr. Finkel states it is up to the Task Force to evaluate and decide on the direction of the smokeless tobacco stamping proposal. He also states he will work with the Task Force to make adjustments to stamping features to comply with FDA guidelines and requirements.
- Mr. Finkel answered questions from the Task Force. Members asked several questions regarding adhesive integrity on OTP packaging (i.e. embossed/raised surfaces) and the accuracy of stamp placement on tins of smokeless tobacco such that warnings would not be obscured.

Other Business:

- Capt. D'Amore gave an update on activity with the State Police. He stated that the State Police are working with the AGO and several DA's Offices throughout MA on active investigations.
 - Currently, they are working on a case with a projected \$1M revenue loss stemming from imported cigarettes coming from China.
 - Additionally, they are working on large smuggling and illegal distribution ring in cooperation with federal law enforcement officials.
- The next Task Force meeting was set for Dec. 19, 2017 at 10:30am

Meeting was adjourned at 11:50am by Mr. Chattopadhyay.