

Illegal Tobacco Task Force Minutes

Meeting Date: March 1, 2018

Meeting Time: 10:30am

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

Board Members Present: Kajal Chattopadhyay (Co-Chair), Capt. Steve Fennessy (Co-Chair), Christy Fedor, Patti Henley, Michael Sweeney, Amber Villa, Doug Levine (in for David Solet).

Others: Brenda McConville, Evan Garcia, Alex Finkel, Jon Shaer, Victor Solorzano, Josh Brabazon, Lisa Dell'Anno, Paul D'Amore, Ben Solivan, Paul Caron, Casey Harvell, Scott Delaney, Kathy Bell, David Cahill.

Call to Order:

- Mr. Chattopadhyay called the meeting to order at 10:48am, followed by a brief recap of the last Task Force meeting.
- Task Force members were called to review the previous meeting minutes. A motion to approve the minutes was made by Ms. Henley and seconded by Mr. Levine. There were no comments or concerns and the minutes were unanimously approved.
- Mr. Chattopadhyay gave a brief introduction of Mr. Levine to the Task Force and an update on former Task Force member Shawn Collins who has moved on to the Cannabis Control Commission and will no longer serve as a member of the Task Force. Mr. Sweeney will serve as the sole representative for the Treasurer and Receiver-General.

Housekeeping Items:

- Each Task Force agency was given the opportunity to give an update on their activity:
 - DPH: None. The Retail Data Management System (a.k.a. POST) will be launched shortly.
 - DOR: New Tobacco Inspector hired and working in the Central MA/Worcester region – Richard Epstein
 - MSP: Still working on cases under the leadership of Capt. D'Amore
 - EOPSS: None
 - AGO: None

Legislative & Budget Update:

- Mr. Chattopadhyay informed the Task Force that its tobacco bill (originally SB1614) was voted favorably out of the Revenue Committee and has been referred to the House Ways & Means Committee. It is now HB4065 and includes the amendments approved by the Task Force.
- Task Force operating budget was restored back to \$900K, after the Governor's reduction to \$600K was overridden by the Legislature. However, according to Mr. Chattopadhyay, only \$600K of the \$900k is available for use as the remainder has been placed in an inaccessible account.

Annual Report Discussion/Vote:

- Each Task Force member was given a copy of the Annual Report to review and vote on.
- According to Mr. Chattopadhyay, the report highlights the Task Force's recent work and, using DOR data, shows that the Task Force's efforts have resulted in increased tax collections on OTP.
- Task Force members suggested a few minor changes, which Mr. Chattopadhyay noted and incorporated into the final draft.
- A roll call vote was taken to approve the report:
 - AGO: Yes
 - EOPSS: Yes
 - MSP: Yes
 - DOR: Yes
 - TRE: Yes
 - DPH: Yes
- The Annual Report was unanimously approved. Mr. Chattopadhyay indicated that he would file the report with the Legislature later in the day since it is due March 1st.

FDA Follow-Up:

- The Task Force has received written responses to the questions it submitted to the FDA.
- Mr. Chattopadhyay suggested postponing a full discussion on the responses until next meeting to give members the opportunity to review the responses.
- Mr. Chattopadhyay stated that while some answers seem definitive, some gray areas remain.
- Mr. Chattopadhyay asked DPH and AGO to review the responses in greater detail and to lead the discussion on the responses at the next meeting.
- Mr. Sweeney encouraged Task Force members to review the responses from the perspective of private sector actors like distributors/stampers so they can have a clear understanding of the impact of the responses on their day-to-day operations.

Other Business:

- Mr. Caron of the Northeast Association of Wholesale Distributors addressed the Task Force to inform members of the recent decision to disband the organization he represents.
- He asked Task Force members to continue to keep the wholesaler community in mind as the Task Force continues its investigation into OTP stamping.
- Mr. Caron pointed to the state of Michigan as a good example of a state working together with the wholesaler community on stamping issues and asked the Task Force to review what they are doing. Mr. Chattopadhyay says he has spoken with officials from Michigan.
- Mr. Sweeney and Task Force members from DPH echoed concerns about vaping and its availability to youth. Mr. Sweeney says he is pleased with the inclusion of vaping in the Annual Report and looks forward to presentations and discussions on vaping issues in future meetings.

Meeting was adjourned at 11:30am by Mr. Chattopadhyay.