

Lowell Tobacco Control Report

June, July of 2020

Prepared by: Cesar Pungirum, M.M., J.D.
Program Director

Lowell

Inspections

During the month of June, mostly drive-by inspections were conducted to ensure Adult-Only Retail Tobacco Stores (AORTS) were limiting their activities to curbside service. I did not encounter any situation where an in-store inspection was needed.

Since June 29th, I've been conducting in-store inspections to ensure compliance with the new tobacco law that was adopted in November of last year. So far, I've been able to complete 35 inspections and have found retailers cooperative, despite all the constraints created due to the pandemic. These inspections have been challenging because of the number of details involved, the use of a mask, the difficulty maintain adequate distance, and the heat.

Pricing Surveys

As mentioned in my previous report, the Massachusetts Tobacco Cessation and Prevention Program (MTCP) has suspended pricing surveys until further notice.

Implementation of the new state law: An Act Modernizing Tobacco Control

Just to recap, the implementation of this law has been conducted in two phases. The first phase was implemented immediately after passage and it included banning the sale of flavored vaping products, except at "smoking bars", and restricting higher nicotine content products to AORTS. The second phase went into effect on June 1st and it restricts the sale of flavored traditional tobacco products, including menthol cigarettes, to smoking bars. I'd say implementation is going as expected, considering the circumstances. Most stores so far have been found to be in varying degrees of non-compliance, but nothing suggesting a deliberate intent. The most common violations have been selling vaping products without the appropriate certification letters from the manufacturers, not having all required signs, and the presence of some prohibited products somewhere on the premises. All these violations have been corrected while I'm in the stores.

Compliance Checks

MTCP is still waiting to see clear indications the pandemic is under control in the state, before we're cleared to start working with minors during compliance checks. New protocols are being developed for when that time comes.

Tobacco Control Grant Renewal

We're still waiting to receive a signed contract and instructions on how to deal with rollover funds. We've been told the fiscal people at MTCP are still working limited in-office hours and that might be the reason for the delay.