

Lowell Tobacco Control Report

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Lowell

Inspections

We have completed 98 in-store inspections this month, so far. Despite our efforts to educate and remind retailers about the requirements of the new state law, we continue to find a variety of violations. In some instances, we see the same types of violations reoccurring.

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

As I have stated previously, retailers appear to rely solely on the education provided during inspections to find out what is not in compliance, instead of proactively take steps to prevent violations from occurring. Therefore, as provided in the state law and 105 CMR 665.000, we have stepped up our enforcement efforts to include the Cease and Desist orders containing fines ranging from \$1,000 to \$5,000 per violation. At the time I write this report, at least one establishment will be subject to these orders. However, since I have not issued the orders yet, I will list the offenders in my next report.

Inspection-Related Issues

Because of our inspections, some retailers have begun to resent some of the state law requirements. At least one retailer has made calls to the City Manager's office and city councilors to complain about them. I have personally spoken to each aggrieved retailer to try to help them better understand the state law and its requirements. Nevertheless, I believe reactions like these are likely to continue for a while, especially after fines are handed out.

Allegations of Sale of Flavored Tobacco

I invited the owner of Yaya Cigars and Vapes, 309 Chelmsford Street, to a meeting to discuss ongoing allegations that his store has deliberately been selling flavored tobacco products. He denied the allegations. I took the opportunity to highlight the major requirements of the new law and the penalties he will be subject to if we find sufficient evidence that the allegations are true.

Compliance Checks

We have resumed compliance checks. Three establishments sold a pack of Newport cigarettes to a 16-year-old female youth. As explained in the section above, I will not list them here, pending the issuance of the Cease and Desist orders containing the appropriate fines.

Department of Revenue's Enforcement

As I mentioned in my last report, DOR has increased their presence at local stores and have stepped up their enforcement activities to include suspension of the tobacco licenses it issues. DOR staff are coordinating their efforts with the Massachusetts Tobacco Cessation and Prevention (MTCP). If they find violations in stores in Lowell or Lawrence, I will be notified.