

Lowell Tobacco Control Report

June of 2021

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Lowell

Inspections

We have completed 93 in-store inspections this month. Overall compliance has improved significantly. We are still finding occasional minor infractions. However, we are stepping up enforcement with repeat offenders.

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

We have seen the presence of hemp products grow steadily in the retail environment within the last year. Up until recently, we were not quite sure about how to treat flavored hemp wraps as there were questions as to whether they fell outside the scope of the state law or not. However, their presence has grown significantly and the understanding that they are in fact “Tobacco Product Flavor Enhancers” is becoming the norm in the field of tobacco control. The sale of Tobacco Product Flavor Enhancers is prohibited. We have not cited anyone for having them in the store. But we are educating retailers about their status. At some point, this Board will need to decide as to whether we should take enforcement action based on the presence of these products in stores.

Failed Inspections

Establishment	Date	Fine	Status
Richdale Food Shops – 103 Rogers St	05/20/21	\$1,000	Paid

Compliance Checks

The following are the establishments that sold a tobacco product to a 16-year-old youth during compliance checks conducted in May and June of 2021. Pursuant to 105 CMR 665.040(D), each sale to a minor, if upheld, shall also result in a tobacco permit suspension for up to 30 consecutive business days:

Establishment	Date of Violation	Fine	Status
Pete’s Gulf – 185 Woburn St	05/26/21	\$1,000	Paid
Jerry’s Food Store – 1172 Lawrence St	05/26/21	\$1,000	Appeal
Rita Supermarket – 515 Lawrence St	05/26/21	\$1,000	Not paid
Lizardo’s Market – 431 Lawrence St	06/03/21	\$1,000	Not paid
Jay’s Food Mart – 166 Gorham St	06/03/21	\$1,000	Paid