

*Mississippi Department of Mental Health
Division of Alcohol and Drug Abuse
Prevention Services*

THE SYNAR AMENDMENT



Saying NO to youth access of tobacco!

Federal lawmakers passed Section 1926 of Title XIX of the Federal Public Health Service Act, commonly called the Synar Amendment, in 1992. The Synar Amendment requires states to pass and enforce laws that prohibit the sale of tobacco to individuals under 18 years of age. On January 19, 1996, the U.S. Department of Health and Human Services issued the final implementation regulations for the Synar Amendment.

The Mississippi Department of Mental Health, Division of Alcohol and Drug Abuse (DADA) is the agency responsible for compliance with the Synar Amendment. The Annual Synar Report is submitted to the Substance Abuse and Mental Health Administration (SAMHSA)/Center for Substance Abuse Prevention (CSAP). In accordance with the tobacco regulation, Mississippi is required to provide detailed information on progress made in enforcing youth tobacco access laws and future plans to ensure compliance with the Synar requirements to reduce youth tobacco access rates.

In an effort to prohibit the sale of tobacco to minors, The Mississippi Juvenile Tobacco Access and Prevention Act of 1997 was passed and became effective February 1, 1998. Major provisions included in this legislation were:

- Tobacco retailers must obtain permits to sell tobacco
- Possession of tobacco by minors is illegal
- Stiffer penalties for noncompliance
- Tobacco vending machines only permitted in places inaccessible to minors
- Point of sale warning signs required at each point of sale of tobacco
- Tobacco retailers must notify their employees of the state tobacco laws
- Office of the Attorney General have the enforcement duties

The *Synar Regulation* requires the states to:

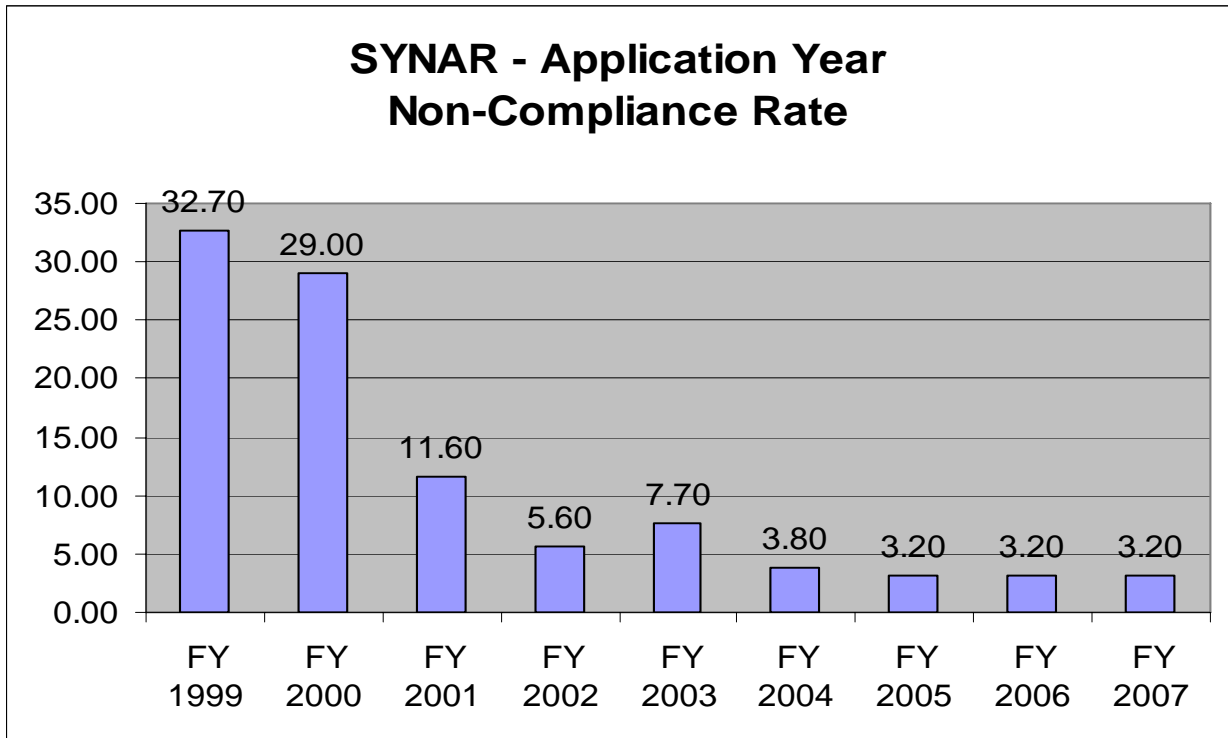
- Enforce such laws in a manner that can reasonably be expected to reduce the extent to which tobacco products are available to individuals under the age of 18.
- Have in effect a law prohibiting any manufacturer, retailer or distributor of tobacco products from selling or distributing such products to any individual under the age of 18.
- Conduct annual random, unannounced inspections to ensure compliance with the law. These inspections are to be conducted in such a way as to provide a valid sample of outlets accessible to youth.
- Develop a strategy and time frame for achieving an inspection failure rate of less than 20% of outlets accessible to youth.
- Submit an annual report detailing the State's activities to enforce their laws, the overall success the State has achieved during the previous fiscal year in reducing tobacco availability to youth, describing how inspections were conducted and the methods to identify outlets, and plans for enforcing the law in the coming fiscal year.

Since January 1998, Mississippi state law has authorized the Office of the Attorney General to conduct random, unannounced inspections to ensure compliance with the state statute prohibiting the sale of tobacco to minors. It is the lead enforcement agency involved in enforcing youth alcohol and tobacco laws.

The Secretary is required to withhold all funds from States that have not enacted the required prohibitions and to decrease annual Substance Abuse Prevention

and Treatment (SAPT) Block Grant award for States that do not comply with the enforcement and reporting requirements.

Mississippi's Annual Rate of Illegal Sales of Tobacco Products to Minors,
1999-2007.



For Additional information, contact Melody Winston in the Division of Alcohol and Drug Abuse at 601-359-1288.