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## **STATE'S SUBSTANCE ABUSE TREATMENT FUNDING TIED TO ILLEGAL TOBACCO SALES**

Although illegal sales of tobacco are on the decline in Oklahoma, the rate of sales is still “much too high” if it’s anything less than 100 percent compliance with the law, said Terri White, commissioner of the Oklahoma Department of Mental Health and Substance Abuse Services.

Substance abuse treatment funding is closely tied with the rate of tobacco sales to minors, and failure to comply risks the loss of millions of dollars in federal substance abuse block grant funds.

Rates of non-compliance have been an issue over the past several years, rising to as high as 18.1 percent in 2008. A concerted retailer education effort has helped to lower that number, with non-compliance measuring 11.5 percent in 2010.

“Compliance is getting better, but any sale of tobacco to a minor is one sale too many,” said White. “It is against the law to sell tobacco products to children under the age of 18 – period. We should have 100 percent compliance.”

Oklahoma retail outlets such as convenience and grocery stores are monitored to ensure they follow all laws related to sales of tobacco products to minors.

Illegal tobacco sales by retailers could jeopardize up to 40 percent of ODMHSAS’ federal substance abuse block grant – approximately \$7 million – if the state’s compliance rate dips below 80 percent, which would cripple the agency’s efforts to help people recover

from addiction. Retailers also are in danger of losing something – their tobacco licenses – if clerks continue to sell tobacco to those under the age of 18.

The federal Synar Amendment, authored in 1993 by the late Oklahoma Congressman Mike Synar, requires states to have a compliance rate of at least 80 percent regarding the sale of tobacco products to minors. This means that no more than 20 percent of stores that are randomly inspected by the Oklahoma Alcoholic Beverage Laws Enforcement (ABLE) Commission can be cited for wrong doing.

White commended the retailers that didn't sell tobacco products to minors. "The fact that so many retailers didn't sell these products to minors suggests that there is no excuse for the others to continue breaking the law. Store owners who ignore compliance requirements are putting their own profits ahead of our children's health."

Tobacco use prematurely kills thousands of Oklahomans every year, yet it remains the leading preventable cause of death in Oklahoma. "The best, most effective way to stop future problems caused by tobacco use is to prevent it from ever occurring in the first place," White added.

In addition to the health risks faced by tobacco users and innocent Oklahomans exposed to second hand smoke, White said the potential loss of federal substance abuse treatment funding would jeopardize thousands of other Oklahomans, and families, no longer able to access substance abuse treatment services. "Already, we can't provide enough treatment services to meet demand."

An estimated 250,000 Oklahomans are in need of drug or alcohol treatment services.

White said ABLE agents soon will begin 2011 “buy” operations, which are conducted randomly and unannounced at tobacco sales outlets across the state.

Select Oklahoma teenagers assist ABLE with these operations. If the under-age youth successfully purchases tobacco, an ABLE agent issues the clerk a citation and a fine. If a store receives three citations in a two-year time period, the Oklahoma Tax Commission can suspend the store’s license to sell tobacco products for 30 days.

There were 324 retail outlets surveyed as part of the last year’s Synar efforts.

Community-based education is available to business owners and clerks regarding youth access to tobacco. Additional information related to Oklahoma’s most recent Synar Report, including a listing of stores surveyed and how they fared, is available on the ODMHSAS website at [www.odmhsas.org](http://www.odmhsas.org).

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