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EXECUTIVE SUMMARY – YOUTH ACCESS TO TOBACCO: TOBACCO 21 ENFORCEMENT STUDY AND TOBACCO RETAIL OUTLET DENSITY

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KHI supports effective policymaking through nonpartisan research, education and engagement. KHI believes evidence-based information, objective analysis and civil dialogue enable policy leaders to be champions for a healthier Kansas. Established in 1995 with a multiyear grant from the Kansas Health Foundation, KHI is a nonprofit, nonpartisan educational organization based in Topeka.

UGPHD is a local public health agency working to prevent disease and improve health and quality of life in Wyandotte County, Kansas.

Executive Summary

Tobacco 21 (T21) is a tobacco control initiative that raises the minimum age of legal access (MLA) for the sale of tobacco productsⁱ to persons age 21 and older and complements other strategies to reduce tobacco use. The MLA in the state of Kansas is age 18 and Kansas City, Kansas, was the first locality to adopt T21 in November 2015. As of February 1, 2019, a total of 24 localities have adopted T21 in Kansas. Youth access policies are enforced by the state of Kansas for sale to persons under age 18, and none of the local T21 ordinances adopted in Kansas include provisions or funding mechanisms for enforcement of those between age 18 and age 21. Through external funding, Kansas City, Kansas, completed a local enforcement study in 2017. In this report, two issues were examined: (1) retailer compliance; and (2) density of tobacco retail outlets, particularly near schools, in three Kansas counties.

Retailer Compliance. The Unified Government of Wyandotte County and Kansas City, Kansas, completed an enforcement study from November 7-29, 2017, to assess retailer compliance of T21 in Kansas City, Kansas. A total of 272 inspections were completed at 129 tobacco retail outlets; some tobacco retail outlets were revisited up to three times for an inspection. Results of the enforcement study include:

- Overall, of the 272 inspections, 35 had a failure (i.e., a sale to a person under age 21) resulting in an overall failure rate of 12.9 percent (*Figure ES-1*, page 3);
- Of 129 retailers visited for an inspection, 32 had one or more failures resulting in a retailer violation rate of 24.8 percent;
- The retailer violation rate was highest among Gasoline Stations with Convenience Stores and Convenience Stores combined (31.9 percent), followed by All Other General Merchandise Stores (22.7 percent), a category which includes retailers such as Family Dollar and Dollar General;
- When compared to Supermarkets and Other Grocery (except Convenience) Stores, the retailer violation rate was 2.1 times higher for Gasoline Stations with Convenience Stores and Convenience Stores combined; and

ⁱ For the purposes of this report, “tobacco products” is defined as products regulated by the Food and Drug Administration (FDA), which includes cigarettes, all cigars (including cigarillos), dissolvables, roll-your-own tobacco, pipe tobacco, smokeless tobacco (including dip, snuff, snus and chewing tobacco), hookah tobacco, nicotine gels and e-cigarettes (also could include vaporizers, e-cigars, e-pipes, vape pipes, vaping pens, e-hookahs, hookah pens and other electronic nicotine delivery systems).

- When aggregating census tracts with at least one failed inspection and census tracts with no failed inspections, there was little or no relationship between the population characteristics (age, race/ethnicity or poverty status) and the outcome of a failed inspection.

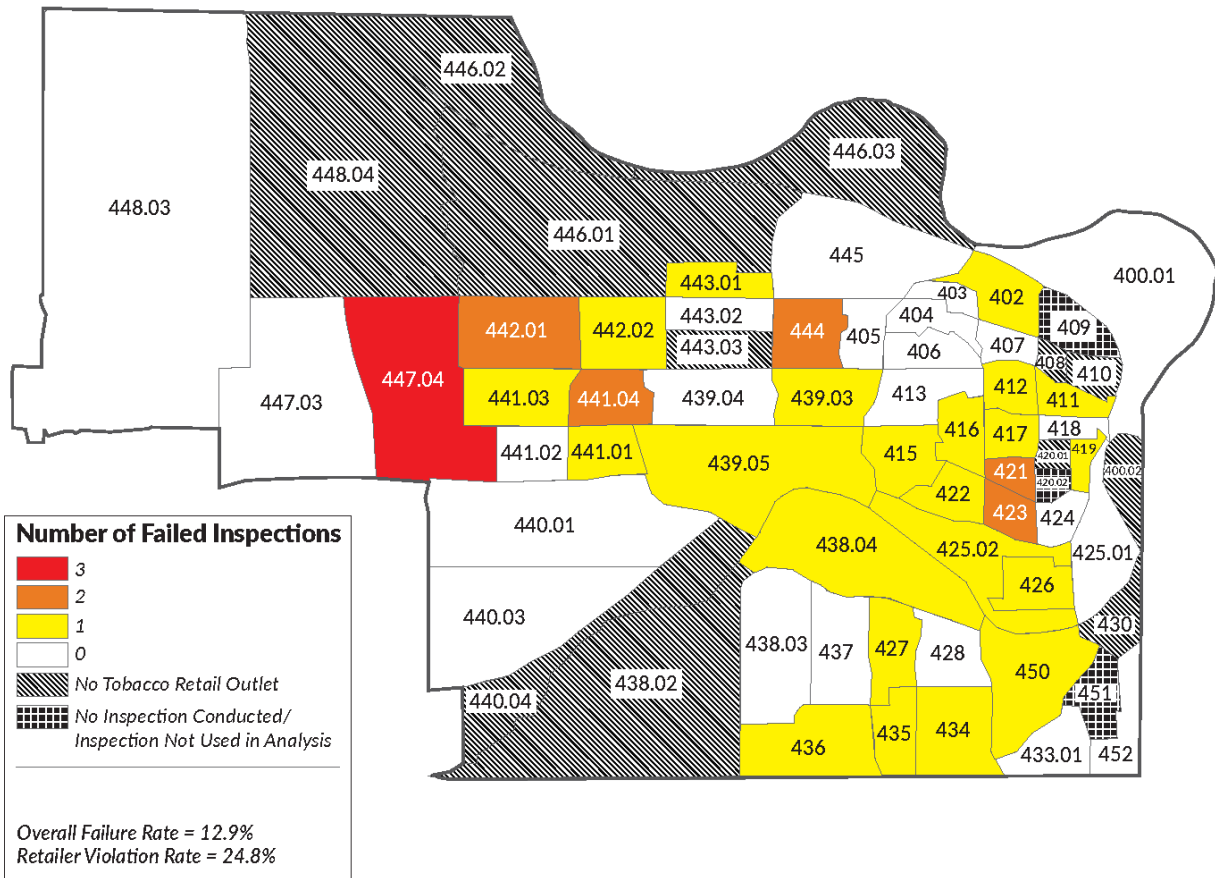
Tobacco Retailer Density. The density of tobacco retail outlets in the county and near schools was examined in three Kansas counties – Wyandotte, Johnson and Sedgwick (*Figure ES-2*, page 4; and *ES-3*, page 5). Study results include:

- When comparing the number of tobacco retail outlets per 1,000 population, Wyandotte County has a rate of 1.0, Sedgwick County has a rate of 0.7 and Johnson County has a rate of 0.4.
- Seven out of nine (77.8 percent) high schools in Wyandotte County have a tobacco retail outlet within a half mile (easy walking distance) of the school. Two high schools in Wyandotte County have no retail outlet within a mile (reasonable walking distance) of the school – Bonner Springs High School and Piper High School.
- Fourteen out of 23 (60.9 percent) high schools in Johnson County have at least one tobacco retail outlet within a half mile. Every high school in Johnson County has at least one tobacco retail outlet within a mile of the school.
- Sixteen out of 31 (51.6 percent) high schools in Sedgwick County have at least one tobacco retail outlet within a half mile. Four high schools in Sedgwick County have no tobacco retail outlet within a mile of the school – Eisenhower High School, Wichita Heights High School, Northeast Magnet High School and Wichita Southeast High School.

Limitations. The study limitations include possible selection bias in the number of inspections completed at each tobacco retail outlet and the accuracy of recorded tobacco retail outlet locations in the enforcement study.

Conclusions. Momentum for Tobacco 21 in Kansas could continue to build if awareness and support among retailers and the public is demonstrated. New and current adopters of T21 might consider enforcement provisions and funding mechanisms in their ordinances. Stricter enforcement, particularly in tobacco retail dense locations and among tobacco retail outlets in close proximity to schools, also should be considered.

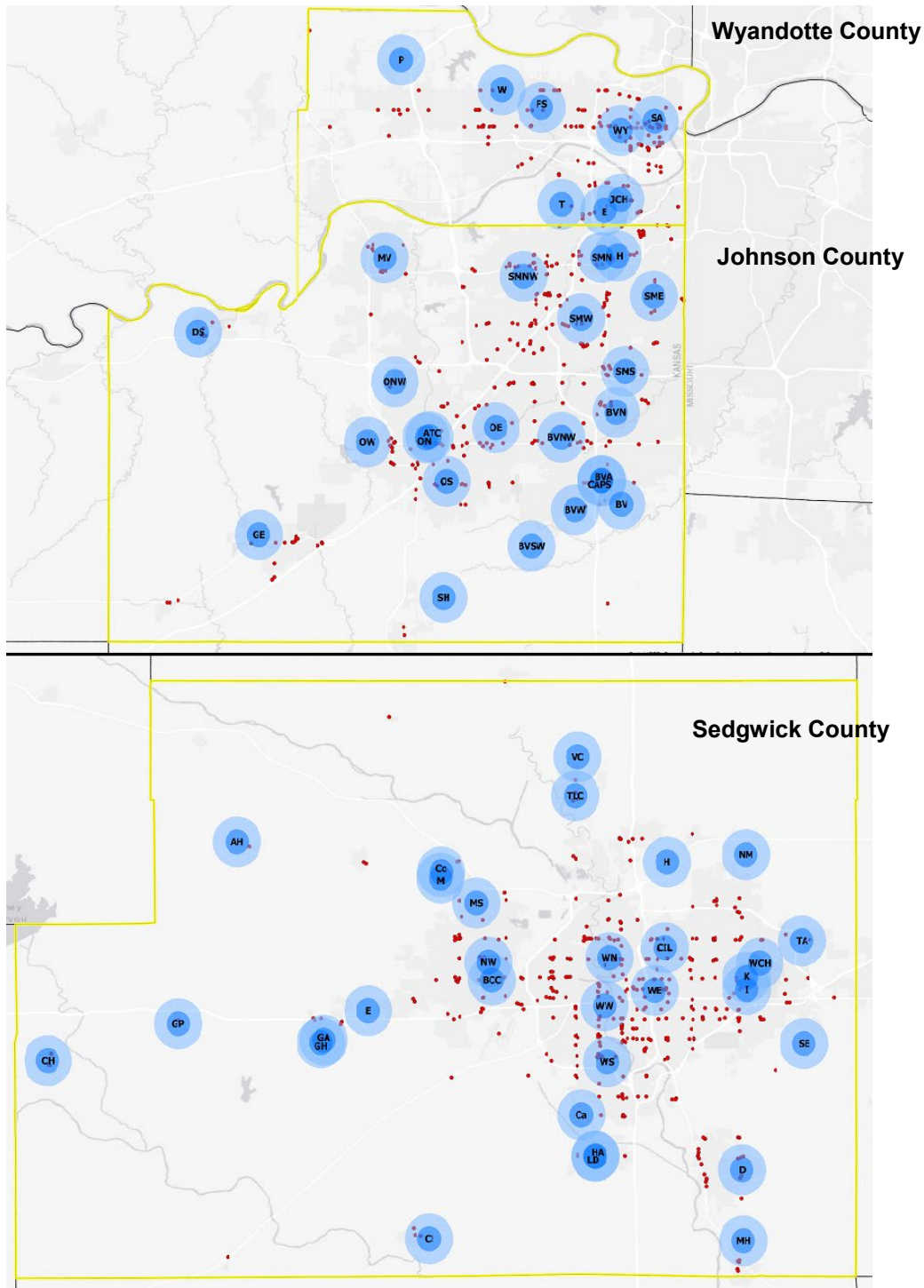
Figure ES-1: Number of Failed Inspections in Tobacco Retail Outlets by Census Tract, Kansas City, Kansas, November 2017



Note: Of the 129 tobacco retail outlets (“retailers”) inspected in this study, 91 were revisited for an inspection up to three times. Two measures were used to examine retailer compliance: Overall Failure Rate was computed as the number of failed inspections (35) divided by the number of total completed inspections (272); and Retailer Violation Rate was computed as the number of retailers in violation (32) divided by the number of retailers with at least one inspection (129).

Source: KHI analysis of data from the U.S. Census Bureau and the 2017 Kansas City, Kansas, Enforcement Study.

Figure ES-2. Comparison of Location of Tobacco Retail Outlets (“Retailers”) Within 0.5 and 1.0 Mile of a High School in Wyandotte, Johnson and Sedgwick Counties, by High School, 2017



Note: The darker, inner circle shows the 0.5 mile radius (easy walking distance). The lighter, outer circle shows the 1.0 mile radius (reasonable walking distance). The high school abbreviations can be cross-referenced in *Figure ES-3*, page 5.

Source: KHI analysis of data from the Kansas Department of Revenue and from Wyandotte, Johnson and Sedgwick counties.

Figure ES-3. Table of Symbols on Figure ES-2 and High School Names in Wyandotte, Johnson and Sedgwick Counties

County	Name	Symbol
Wyandotte	Bonner Springs High School	B
Wyandotte	Endeavor High School	E
Wyandotte	F.L. Schlagle High School	FS
Wyandotte	J.C. Harmon High School	JCH
Wyandotte	Piper High School	P
Wyandotte	Sumner Academy of Arts and Science	SA
Wyandotte	Turner High School	T
Wyandotte	Washington High School	W
Wyandotte	Wyandotte High School	WY
Johnson	Blue Valley Academy	BVA
Johnson	Blue Valley Center for Advanced Professional Studies	CAPS
Johnson	Blue Valley High School	BV
Johnson	Blue Valley North High School	BVN
Johnson	Blue Valley Northwest High School	BVNW
Johnson	Blue Valley Southwest High School	BVSW
Johnson	Blue Valley West High School	BVW
Johnson	De Soto High School	DS
Johnson	Gardner Edgerton High School	GE
Johnson	Horizons High School	H
Johnson	Mill Valley High School	MV
Johnson	Olathe Advanced Technical Center	OATC
Johnson	Olathe East High School	OE
Johnson	Olathe North High School	ON
Johnson	Olathe Northwest High School	ONW
Johnson	Olathe South High School	OS
Johnson	Olathe West High School	OW
Johnson	Shawnee Mission East High School	SME
Johnson	Shawnee Mission North High School	SMN
Johnson	Shawnee Mission Northwest High School	SMNW
Johnson	Shawnee Mission South High School	SMS
Johnson	Shawnee Mission West High School	SMW
Johnson	Spring Hill High School	SH
Sedgwick	Andale High School	AH
Sedgwick	Bishop Carroll Catholic School	BCC
Sedgwick	Campus High School	Ca
Sedgwick	Cheney High School	CH

Figure ES-3 (continued). Table of Symbols on Figure ES-2 and High School Names in Wyandotte, Johnson and Sedgwick Counties

County	Name	Symbol
Sedgwick	Chester I. Lewis Learning Center	CIL
Sedgwick	Clearwater High School	CI
Sedgwick	Complete High School	Co
Sedgwick	Derby High School	D
Sedgwick	East High School	WE
Sedgwick	Eisenhower High School	E
Sedgwick	Garden Plain High School	GP
Sedgwick	Goddard Academy	GA
Sedgwick	Goddard High School	GH
Sedgwick	Haysville Alternative High School	HA
Sedgwick	Heights High School	H
Sedgwick	Independent High School	I
Sedgwick	Kapaun Mt. Carmel Catholic High School	K
Sedgwick	Learning by Design Virtual Charter School	LD
Sedgwick	Maize High School	M
Sedgwick	Maize South High School	MS
Sedgwick	Mulvane High School	MH
Sedgwick	North High School	WN
Sedgwick	Northeast Magnet	NM
Sedgwick	Northwest High School	NW
Sedgwick	South High School	WS
Sedgwick	Southeast High School	SE
Sedgwick	The Learning Center	TLC
Sedgwick	Trinity Academy	TA
Sedgwick	Valley Center High School	VC
Sedgwick	West High School	WW
Sedgwick	Wichita Collegiate High School	WCH

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Unified Government Public Health Department

The Unified Government Public Health Department (UGPHD) serves Wyandotte County, Kansas, by creating and maintaining conditions for a healthy community through an array of services and initiatives.

