

# SELLING TOBACCO ANYWHERE, ANYTIME HARMFUL NOT HELPFUL

An audit of tobacco retailers in NSW

# CONTENTS

**Summary**

**Background**

**What we did**

**What we found**

**Strengths and limitations**

**Conclusion**

**References**

**Appendix**

**1 Suggested citation**

**2** Fry R, Williams K, Burton S, Egger S, Walsberger S, Soulos G, Tang A, Chapman K. An audit of tobacco retailers in NSW. Sydney: Cancer Council NSW; 2013.

**7 Acknowledgments**

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## **Glossary**

### **Non-tobacco smoking product**

Any product (other than a tobacco product) intended to be smoked, including any product known or described as herbal cigarettes.<sup>1</sup>

### **Smoking accessories**

Cigarette papers, pipes, cigarette holders, hookahs, water pipes and any other smoking implements.<sup>1</sup> The *Public Health (Tobacco) Act 2008*<sup>1</sup> does not include matches or lighters in the definition of smoking accessories, which means they can be lawfully displayed.

### **Specialist tobacconist**

A person who operates a business which, in the 12 months preceding 25 September 2008 (the date the *Public Health (Tobacco) Act 2008* was introduced into Parliament), obtained at least 80% of its gross turnover from the sale of tobacco, non-tobacco smoking products or smoking accessories.<sup>1</sup> The person has also been approved as a specialist tobacconist by the NSW Ministry of Health.

### **Tobacco products**

Tobacco, cigarettes, cigars or any other product containing tobacco, designed for human consumption or use.<sup>1</sup>

### **Tobacco retailers**

Stores and other outlets selling tobacco, including supermarkets, tobacconists, petrol stations, convenience stores, bottle shops, and cigarette vending machines in pubs and clubs.

# SUMMARY

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Cancer Council NSW conducted an audit of 1,739 tobacco outlets in NSW to evaluate the accuracy of tobacco retailer data gathered under the Retailer Notification Scheme. The audit was also used to assess retailer compliance with laws and regulations under the *Public Health (Tobacco) Act 2008* (NSW)<sup>1</sup> and to measure variations in cigarette prices between retailers. The NSW Ministry of Health provided a list of retailers that had notified under the Retailer Notification Scheme, a sample of which were audited by 166 volunteers and staff from eight Cancer Council offices in urban and regional areas.

We found the Retailer Notification Scheme does not accurately record the number, type and location of tobacco retailers. Some retailers were not on the list of notified retailers provided by the Ministry of Health with one unlisted retailer identified for about every 13 listed retailers. The list of notified retailers received by Cancer Council NSW contained 13,439 retailer records and included a large number of multiple listings and out-of-date retailer records. By extrapolating the results from the sample, and allowing for both duplicate listings of retailers and unlisted retailers, based on the percentage of each in the sample, we estimated that the number of active tobacco retailers in NSW is approximately 9,597.

More than one in four audited tobacco retailers (26.6%) did not comply with the requirements of the Act, either because they had not notified under the Retailer Notification Scheme or because they failed to comply with in-store signage or display requirements, or both. The most commonly observed breach of the legislation was failure to display a 'Smoking kills' warning sign (11.9% of retailers). Unlisted retailers were more likely to breach in-store provisions of the legislation.

Convenience, route and impulse retailers (i.e. licensed premises, convenience stores, petrol stations and newsagents) represented 78.3% of tobacco outlets, despite the fact supermarkets and tobacconists dominate market share.

Cigarette prices varied between different types of outlets with prices cheaper, on average, in postcodes with a higher proportion of children in the population and in disadvantaged areas.

A discussion of the policy context relating to the tobacco retail environment and the policy implications of this study can be found in the Cancer Council NSW report, *Selling tobacco anywhere, anytime: harmful not helpful*.<sup>2</sup>

## KEY FINDINGS

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- One unlisted retailer was found for about every 13 listed retailers.
- More than one in four audited tobacco retailers (26.6%) did not comply with tobacco retailing laws.
- Convenience, route and impulse retailers (i.e. licensed premises, convenience stores, petrol stations and newsagents) represented almost 80% of tobacco outlets.
- Prices varied between different types of outlets, and cigarettes were cheaper in disadvantaged areas and in areas with a higher proportion of children in the population.
- We estimate the number of active tobacco retailers in NSW to be approximately 9,597.

# BACKGROUND

Smoking prevalence in NSW is at a historic low, with 14.7% of people aged 16 and over being current smokers.<sup>3</sup> However, smoking still kills more than 5,000 people per year statewide<sup>4</sup> and is increasingly concentrated among the most disadvantaged members of our community.<sup>5-8</sup> New strategies are needed to further reduce the prevalence of smoking.

There is evidence that the retail environment can influence smokers' behaviour<sup>2</sup> and public health experts are calling for policies to restrict tobacco supply through stronger regulation of tobacco retailing.<sup>9</sup>

Tobacco retailing in NSW is currently governed by the *Public Health (Tobacco) Act 2008* (NSW),<sup>1</sup> hereafter referred to as 'the Act', which came into effect on 1 July 2009. The Act introduced a number of new provisions for retailers, including a ban on the retail display of tobacco and related products and a requirement for retailers to notify the Ministry of Health before they engage in tobacco retailing. The system for managing retailer notifications is called the Retailer Notification Scheme.

Under the scheme, retailers must provide details of each retail premises via the NSW Government Licensing Service.<sup>10</sup> Details include the business name, business type (e.g. petrol station, newsagent, licensed premises), business address, trading address, Australian Business Number, and owners' and directors' names. Retailers are required to update their details if there is a change in the business address, trading address or business ownership. In the case of tobacco vending machines, both the owner of the machine and the lessee (e.g. the occupier of a pub or club where the machine is located) must notify.<sup>11</sup>

The stated purpose of the Notification Scheme is to inform the Ministry of Health about the number and location of tobacco retailers in NSW, in order to support enforcement of the display ban and other retail laws.<sup>10</sup> Environmental Health Officers are able to check whether tobacco retailers have made a notification when they are undertaking routine checks on compliance with display and signage laws.<sup>11</sup>

## KEY PROVISIONS OF THE *PUBLIC HEALTH (TOBACCO) ACT 2008* (NSW)<sup>1,12</sup>

- Sale to persons under the age of 18 years is prohibited, as is purchase on behalf of a person under 18.
- Tobacco retailers must notify the Ministry of Health before they engage in tobacco retailing.
- Tobacco products, non-tobacco smoking products and smoking accessories must not be visible to the public from inside or outside the premises. The display ban has been phased in over four years and small retailers and specialist tobacconists have had extra time to comply. At the time of the Cancer Council NSW audit of tobacco retailers, all retailers except specialist tobacconists were required to comply. As of July 2013, all retailers including specialist tobacconists should be fully compliant.
- Tobacco and related products may be sold only from one point of sale (i.e. cash register) on each premises.
- Vending machines can only be placed in an area of a hotel, club or casino restricted to over 18s and only one vending machine per licensed premises is allowed.
- Vending machines must be controlled by staff members (e.g. by supplying tokens or remote control).
- Retailers must display a standard 'Smoking kills' warning sign and a notice that it is illegal to sell tobacco products to persons under 18.
- Prices may be displayed either on price tickets or on a single price board, but not both. There are restrictions on the size and colour of price displays.
- Tobacco and related products cannot be included in shopper loyalty programs.
- Smokeless tobacco products, fruit-flavoured cigarettes and confectionary-flavoured cigarettes cannot be sold.
- Sales are not permitted from mobile or temporary retail outlets.

### Note:

There is no law against people aged under 18 years selling cigarettes.

See the glossary on the contents page for definitions of tobacco products, non-tobacco smoking products and smoking accessories. Matches and lighters are not covered by the legislation and may be legally displayed.

More information about tobacco retailing laws can be found at: [www.health.nsw.gov.au/publichealth/healthpromotion/tobacco/information\\_for\\_tobacco\\_retailers\\_and\\_consumers.asp](http://www.health.nsw.gov.au/publichealth/healthpromotion/tobacco/information_for_tobacco_retailers_and_consumers.asp)

# WHAT WE DID

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Cancer Council NSW saw the Retailer Notification Scheme as an opportunity to better understand the tobacco retail sector in NSW because it purportedly provides a source of information about all retailers in NSW.

We undertook a comprehensive audit of tobacco retail outlets across NSW to:

- assess whether retail outlets selling tobacco complied with the point-of-sale display ban and other provisions of the *Public Health (Tobacco) Act 2008* (NSW);<sup>1</sup>
- establish if there are retailers that have not notified under the Retailer Notification Scheme as required;
- measure the extent to which the price of one popular brand of cigarettes varied across tobacco retail outlets and locations;
- obtain baseline data to allow ongoing analysis on the entry and/or exit of tobacco retailers from the market; and
- investigate whether compliance differed between retail outlets in urban compared to regional areas, more disadvantaged compared to less disadvantaged areas or areas with higher compared to lower proportions of children in the population.

Cancer Council NSW obtained the list of retailers that had notified under the Retailer Notification Scheme under a Government Information (Public Access) request (formerly Freedom of Information), since the list is not publicly available. Release was granted on the basis of overriding public interest in disclosure of the information and that the information was already publicly available although not in a consolidated source.

Cancer Council NSW received the list of notified retailers as a spreadsheet with data fields including the registered business name, ACN, type of business, trading address and in some cases, the trading name of the business. The first data set of 12,451 records was received in April 2011 and shared with researchers at Cancer Institute NSW and the University of Sydney who tested for associations between tobacco outlet density, socio-economic status and remoteness at the local government area level. They found higher tobacco retail density in disadvantaged areas (as measured by Socio-Economic Indexes for Areas or SEIFA<sup>13</sup>) and in remote areas.<sup>14</sup> Both associations were significant after controlling for smoking prevalence.<sup>14</sup>

Cancer Council NSW made a second request for updated data in 2012 and received two additional data sets. Together, the three files comprised 13,439 records and covered retailer notifications up to 30 June 2012.

Preliminary examination revealed some records were incomplete, incorrect or could not be matched to a street address. We reviewed those that were obviously incorrect (e.g. where the postcode did not match the suburb), recorded errors and corrected them where possible. There were also many cases of multiple records for the same premises. After excluding records that exactly matched the business name and address in another record, 12,731 tobacco retailers remained in 605 postcodes.\*

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\*According to Australia Post, NSW has 706 unique postcodes. However, many of these are post boxes and special purpose postcodes unrelated to physical locations. The Australian Bureau of Statistics recognises 621 postcodes that represent geographic areas in NSW. Of these 621 areas, 605 were represented on the Ministry of Health list of notified tobacco retailers.

**Table 1:** NSW regions included in the audit of tobacco retailers

Cancer Council NSW region	Number of notified retailer records	Number of postcodes	% of notified retailer records in NSW	% of postcodes with notified retailer records in NSW
Central and Southern Sydney	3,002	88	22.3	14.5
Far North Coast	638	28	4.7	4.6
Greater Western Sydney	2,756	105	20.5	17.4
Hunter	1,111	57	8.3	9.4
Mid North Coast	644	28	4.8	4.6
North Sydney	1,005	56	7.5	9.3
North West	400	43	3.0	7.1
Southern	1,238	63	9.2	10.4
<b>Total in sampling frame</b>	<b>10,794</b>	<b>468</b>	<b>80.3</b>	<b>77.4</b>
<b>Total notified retailers / postcodes</b>	<b>13,439</b>	<b>605</b>		

**Participating regions**

At the time of the study, Cancer Council NSW had a network of 10 regional offices, eight of which took part in the study. These regions covered 468 postcodes containing 10,794 retailer records, or 77.4% of the postcodes and 80.3% of the notified retailer records represented on the Ministry of Health list (Table 1).

**Selection of postcodes for audit**

To select a sample of tobacco retailers, we randomly selected postcodes within each region until we reached predefined sampling targets for both the percentage of retailers in the region and the percentage of postcodes (to ensure a sample that was spread across the region). For the two regions with the largest number of retailers (Central and Southern Sydney and Greater Western Sydney), the sampling targets were 15% of tobacco retailers and 15% of postcodes within each region. For the regions with fewer retailers, sampling targets were 20% of tobacco retailers and 20% of postcodes within each region.

**Figure 1:** Location of postcodes selected for survey



Through this process 100 postcodes were randomly selected with five areas being very small rural localities where data collectors could not be recruited. This resulted in a sample of 2,279 retailer records in 95 postcodes. Of these, 51 were in regional NSW and 44 were in the Sydney metropolitan area (Figure 1).

Among the sample records there were 61 recorded address errors including incorrect postcode (24), missing street name and/or number (21) and incorrect suburb (8).

## Survey

A survey was developed (see Appendix) to record observations of key features of the store environment (including products on display, presence or absence of a 'Smoking kills' warning sign and features of price boards or price tickets), and to record the price of a standard brand of tobacco (Winfield 25 pack and 50 twin pack).

The survey was tested by researchers involved in the trial, revised and then tested by volunteers who had not been involved in developing the survey.

There were two versions of the survey form. The first was pre-printed with the name and address details of each notified tobacco retailer within selected survey postcodes ('listed retailers'). The second was identical but without pre-printed details, to audit and record the address of any other tobacco retailers found ('unlisted retailers').

Testing revealed many cases where two or more businesses were recorded as selling tobacco at the same address, even though records that exactly matched the business name and address in another record had already been removed. Data collectors were instructed to note such multiple listings, to identify the correct business name if possible and to complete the survey only once for each outlet to avoid double counting.

## Data collection

Data were collected from November 2012 to early February 2013 by 166 staff and volunteers associated with each Cancer Council NSW regional office who had received training, either face-to-face (in groups or individually) or by telephone. The majority of the data was collected in November and December 2012 with collectors working at a date and time convenient to them.

Each data collector received a survey pack containing forms for their allocated postcode or neighbourhood, a summary list of notified retailers in their allocated area, maps of the area, a supplementary instruction booklet for reference and an envelope for return of completed forms. Each data collector was asked to:

- audit approximately 20 notified (i.e. listed) retailers within one of the randomly selected postcodes; and
- look for any tobacco retailers in their assigned area that did not appear on their summary list (i.e. unlisted retailers), and if any were found, perform the same audit as for listed retailers.

In order to assist with finding unlisted retailers, data collectors were given the following instructions:

If you know the area, think about the places you know in the area which are likely to sell cigarettes (e.g. supermarkets, petrol stations, corner stores, newsagents, bars and bottle shops). Are any of these missing from the list of retailers? Your thinking might be something like:

*I know there is a convenience store opposite the bus stop on South Street, but there aren't any retailers listed on South Street. I would have thought they would sell cigarettes. I will check if they do...*

It was expected data collectors would have more success finding unlisted retailers in an area familiar to them. Therefore, if they were assigned to audit a randomly selected postcode that was not their home (residential) postcode, data collectors were also asked to look for unlisted retailers in their home postcode. They were given a summary list of retailers in their home postcode and a map, and used the process described above to find and audit any unlisted retailers.

Six hundred and sixty-four records in the audit sample of 2,279 were identified as either inactive (no longer selling tobacco, no longer at listed address) or reflected duplicate listings. Volunteers audited 1,565 of the remaining 1,615 outlets (96.9% audit rate), with 50 outlets closed at the time of one or more visits or the auditor was unable to visit.

## Data entry and cleaning

A professional data entry firm processed the information using double entry to prevent entry errors and field restrictions to prevent out-of-range errors.

Inspection of the data confirmed a large number of multiple listings (i.e. two or more listings for one retail premise). The largest source of multiple listings was vending machines as NSW legislation requires notification by both the vending machine operator and the licensee. While correctly reflecting the legislation, such listings if unaccounted for, inflate the actual number of tobacco outlets in NSW. A second source of multiple listings was due to two or more business names at the same address. This could be due to turnover of the business, and notification by the new owner without removing or inactivating notifications by the previous owner. All cases of multiple listings were reviewed and redundant records were excluded from analysis.

## Verification of unlisted outlets

Data collectors identified 299 tobacco retailers as potentially unlisted. All were reviewed against the original list of notified retailers provided by the Ministry of Health, and also against an updated list.<sup>†</sup> Following this process, 174 retailers in 79 postcodes were categorised as unlisted and added to the data for analysis. Twelve additional retailers were correctly identified as unlisted, but were not located within either the data collector's own postcode or a randomly selected postcode. In these cases, the volunteer had inadvertently crossed the boundary of the postcode they had intended to audit. Data from these 12 retailers were excluded from all analyses.

## Analysis

Auditor comments were reviewed to identify any breaches identified in addition to those specifically addressed by the survey.

A number of socio-demographic measures for postcodes were obtained from the Australian Bureau of Statistics (ABS) 2011 census data,<sup>16</sup> including the percentage of the postcode's population under 18, percentage of the postcode's population born in Australia and postcode socio-economic status using the Socio-Economic Indexes for Areas (SEIFA).<sup>15</sup> A measure of the remoteness of each postcode was calculated using the ABS Postcode to Remoteness Areas correspondence.<sup>17</sup>

Three multivariate generalised linear regression models were fitted to the data to assess the associations between retailer characteristics. They were:

- failing to list under the Retailer Notification Scheme;
- breaching in-store provisions of the legislation; and
- price per 25 pack.

In each model, generalised estimating equations (GEE) were used to account for the clustering of retailers within sampled postcodes.

In the first model, the dependent variable was defined as not being listed under the Retailer Notification Scheme (versus being listed). In the second, the dependent variable was defined as having one or more breaches of in-store provisions of the legislation (versus no breaches). In the first and second models, logit link functions and binomial distributions were assumed. In the third model, the dependent variable was defined as the minimum price of a Winfield 25 pack or the price of a single pack or half the price of a twin pack, if available. In this model, an identity link function and Gaussian distribution were assumed.

In all models, categorical independent variables included:

- outlet type (8 groups);
- remoteness of postcode (3 groups based on ABS Postcode to Remoteness Areas correspondence<sup>17</sup>);
- socio-economic status (SES) of postcode (5 groups based on the Socio-Economic Indexes for Areas (SEIFA)<sup>15</sup>);
- percentage of postcode population less than 18 years (4 groups)<sup>16</sup>; and
- percentage of postcode born in Australia (4 groups)<sup>16</sup>.

The first and third models included having one or more breaches of in-store provisions of the legislation (any breach versus no breach) as a categorical independent variable. The second and third models included failing to list with the Ministry of Health (unlisted versus listed) as a categorical independent variable.

Tests for linear trends were performed by substituting the nominal versions of independent variables with continuous or ordinal versions where appropriate. Robust variance estimators and exchangeable working correlation structures were used for all GEE procedures with sensitivity analyses being performed using various other working correlation matrices (these results are omitted because the differences were negligible). The data were analysed using Stata (version 11) and Minitab 15.

<sup>†</sup>The initial list of notified retailers obtained from the Ministry included notifications up to 30 June 2012. The updated list included notifications up to 15 February 2013. Data was collected from September 2012 to February 2013. Therefore it was possible a retailer had notified after 30 June 2012, during the period of the study.

# WHAT WE FOUND

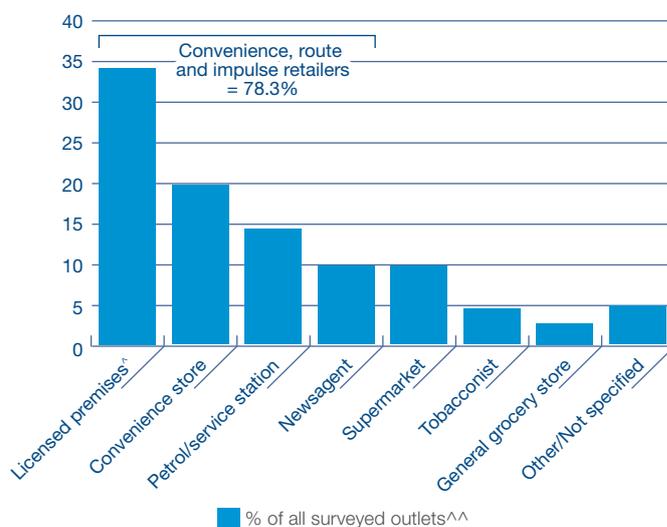
There was an average of 17.7 active tobacco outlets per postcode (standard deviation 17.5; median 13; interquartile range 20). Postcode 2010 (Darlinghurst/Surry Hills) had the highest number with 107 active outlets.

Even within the 17 remote and outer regional postcodes in the selected sample, there was an average of 7.3 active tobacco outlets per postcode (standard deviation 9.5; median 4; interquartile range 2).

## Almost 80% of outlets are convenience, route and impulse retailers

Together, convenience, route and impulse retailers (i.e. licensed premises, convenience stores, petrol stations and newsagents) represented 78.3% of tobacco outlets. Outlets in licensed venues were the most numerous, representing 34.2% of the sample (Figure 2; Table 2). Supermarkets and tobacconists, in contrast, dominate market share.<sup>18</sup>

**Figure 2:** Proportion of each type of outlet in survey sample



<sup>^</sup> Includes vending machines and over-the-counter sales in pubs, clubs, hotels, bars, bottle shops and licensed restaurants.

<sup>^^</sup> Surveys were completed for 1,739 retailers, comprising 1,565 listed retailers and 174 unlisted retailers. Of the 2,279 listed records sampled, 664 were multiple listings or retailers no longer selling tobacco and 50 were not surveyed.

**Table 2:** Notification status and breaches recorded by tobacco retailers by outlet type

Outlet type	Total surveyed	Listed		Unlisted	
	n (%)	n (%)	% of outlet type with ≥1 breach	n (%)	% of outlet type with ≥1 breach <sup>^</sup>
Licensed premises and/or vending	594 (34.2)	538 (34.4)	16.2	56 (32.2)	41.1
Convenience store	344 (19.8)	323 (20.6)	26.6	21 (12.1)	42.9
Petrol station	252 (14.5)	233 (14.9)	14.2	19 (10.9)	31.6
Newsagent	171 (9.8)	154 (9.8)	22.7	17 (9.8)	29.4
Supermarket	166 (9.5)	144 (9.2)	17.4	22 (12.6)	18.2
Tobacconist	81 (4.7)	76 (4.9)	38.2	5 (2.9)	60.0
General grocery store	46 (2.6)	30 (1.9)	26.7	16 (9.2)	43.8
Other/ Not specified	85 (4.9)	67 (4.3)	37.3	18 (10.3)	38.9
<b>Total (all outlets)</b>	<b>1,739 (100.0)</b>	<b>1,565 (100.0)</b>	<b>21.0</b>	<b>174 (100.0)</b>	<b>36.8</b>

<sup>^</sup> Does not count being unlisted as a breach.

**The Retailer Notification Scheme does not provide accurate information about tobacco retailers in NSW**

The audit showed the Retailer Notification Scheme does not accurately record the number, type and location of tobacco retailers in NSW. Firstly, it was discovered some retailers were not included in the list of notified retailers provided by the Ministry of Health. Secondly, the list of notified retailers included a large number of multiple listings and out-of-date retailer records. Multiple listings for the same business may mean businesses are not notifying of changes to business location or ownership, or that notifications of changes are not reflected in Ministry of Health records.

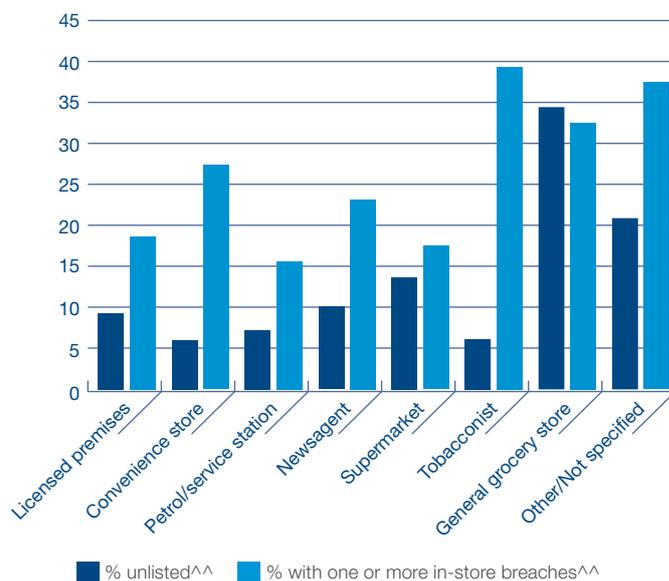
**We estimate that there is one unlisted tobacco outlet for about every 13 listed outlets**

It was expected data collectors working in their home postcodes would be more likely to find unlisted tobacco retailers than those working outside their home postcode due to the former's greater familiarity with local retailers. Therefore, to estimate the ratio of unlisted to listed outlets, we compared the number of unlisted to listed retailers in randomly selected postcodes where at least one of the data collectors lived in the postcode. In these postcodes, 109 unlisted outlets and 1,369 listed outlets were identified, resulting in a ratio of one unlisted outlet for every 12.56 listed outlets. It is unlikely data collectors found all unlisted retailers, so this is probably an underestimate.

The likelihood of being unlisted varied between different types of outlets ( $p < 0.001$ ). General grocery stores had the highest proportion of unlisted outlets (34.8% of general grocery stores audited), while convenience stores (6.1%) and tobacconists (6.2%) had the lowest (Figure 3). After adjusting for other factors, general grocery stores were significantly more likely to be unlisted than supermarkets, while convenience stores, petrol stations and tobacconists were less likely to be unlisted (Table 3).

Outlets in major cities were more likely to be unlisted than those outside major cities. In major cities, 11.0% of audited retailers were unlisted compared to 6.9% in inner regional areas and 8.0% in outer regional and remote areas. The effect of remoteness held after adjusting for other factors ( $p = 0.025$ ).

**Figure 3: Proportions of unlisted outlets and outlets with one or more breaches, by type of outlet**



^^Percentage of 1,739 listed and unlisted outlets.

**We estimate that NSW has about 9,597 tobacco outlets**

The Retailer Notification Scheme does not accurately quantify the number of tobacco retailers in NSW. However, using the audit results the total number can be estimated.

Of the 2,279 retailer records in the sample, 50 outlets were not audited because they were closed at the time of visit or due to lack of time, while 664 were identified as multiple listings or retailers no longer selling tobacco (including those no longer at the stated address).<sup>‡</sup> This resulted in a sample of 1,565 listed retailers being audited.

Applying the proportion of listings found to be active outlets ( $1,565 / 2,229 = 70.2\%$ ) to the number listed under the Retailer Notification Scheme after exact duplicates were removed (12,731 as at 30 June 2012), and adding an estimate of unlisted retailers based on the ratio of unlisted to listed outlets, the result is an estimate of approximately 9,597 tobacco retail outlets in NSW. This assumes the proportion of multiple entries and the ratio of unlisted to retail outlets is the same across NSW as in our sample. The estimate equates to approximately one tobacco outlet per 83 smokers in NSW.

<sup>‡</sup>As discussed previously, some were legitimate dual listings for vending machines. NSW legislation requires notification by both the vending machine operator and the licensee. While correctly reflecting the legislation, such dual listings if unaccounted for, inflate the actual number of tobacco outlets in NSW.

**Table 3:** Associations between retailer characteristics and being unlisted

Characteristic	Unlisted n (%)	Listed n (%)	Odds ratio for being unlisted (vs. listed)	
			OR1 <sup>^</sup> (95% CI)	OR2 <sup>^^</sup> (95% CI)
	174 (10.0)	1,565 (90.0)		
<b>Outlet type</b>				
Supermarket	22 (13.3)	144 (86.7)	ref.	ref.
General grocery store	16 (34.8)	30 (65.2)	2.98 (1.55, 5.73)	3.04 (1.41, 6.56)
Convenience store	21 (6.1)	323 (93.9)	0.59 (0.41, 0.83)	0.44 (0.28, 0.70)
Petrol/service station	19 (7.5)	233 (92.5)	0.60 (0.41, 0.88)	0.54 (0.33, 0.88)
Newsagent	17 (9.9)	154 (90.1)	0.81 (0.50, 1.31)	0.67 (0.36, 1.24)
Licensed premises and/or vending	56 (9.4)	538 (90.6)	0.76 (0.54, 1.08)	0.69 (0.44, 1.09)
Tobacconist	5 (6.2)	76 (93.8)	0.51 (0.31, 0.84)	0.37 (0.19, 0.73)
Other/Not specified	18 (21.2)	67 (78.8)	1.57 (0.95, 2.60)	1.40 (0.76, 2.59)
<b>p-value</b>			<b>&lt;0.001</b>	<b>&lt;0.001</b>
<b>Remoteness of postal area</b>				
Major cities of Australia	142 (11.0)	1,152 (89.0)	ref.	ref.
Inner regional Australia	22 (6.9)	298 (93.1)	0.35 (0.17, 0.74)	0.40 (0.19, 0.84)
Outer regional and remote Australia	10 (8.0)	115 (92.0)	0.46 (0.17, 1.22)	0.46 (0.18, 1.16)
<b>p-value</b>			<b>0.012</b>	<b>0.025</b>
<b>SES of postal area</b>				
Lowest SES	25 (10.6)	211 (89.4)	ref.	ref.
2	25 (7.9)	290 (92.1)	1.11 (0.46, 2.69)	0.98 (0.35, 2.73)
3	38 (11.4)	296 (88.6)	1.67 (0.64, 4.37)	1.17 (0.35, 3.87)
4	46 (8.4)	501 (91.6)	1.14 (0.49, 2.69)	1.01 (0.40, 2.52)
Highest SES	40 (13.0)	267 (87.0)	2.16 (0.99, 4.72)	1.63 (0.72, 3.70)
<b>p-value</b>			<b>0.291</b>	<b>0.589</b>
<b>p-trend</b>			<b>0.094</b>	<b>0.233</b>
<b>% of postal area population less than 18 years</b>				
0 to <16	21 (5.9)	332 (94.1)	ref.	ref.
16 to <22	73 (12.4)	518 (87.6)	2.15 (0.88, 5.29)	2.44 (0.98, 6.09)
22 to <25	32 (8.2)	359 (91.8)	1.05 (0.43, 2.55)	1.17 (0.39, 3.45)
25+	48 (11.9)	356 (88.1)	1.72 (0.71, 4.18)	1.83 (0.60, 5.55)
<b>p-value</b>			<b>0.106</b>	<b>0.064</b>
<b>p-trend</b>			<b>0.882</b>	<b>0.715</b>
<b>% of postal area population born in Australia</b>				
0 to <60	47 (7.9)	550 (92.1)	ref.	ref.
60 to <70	35 (13.9)	217 (86.1)	2.20 (0.82, 5.95)	1.86 (0.71, 4.87)
70 to <90	61 (10.1)	544 (89.9)	0.91 (0.42, 1.99)	1.71 (0.63, 4.68)
90+	31 (10.9)	254 (89.1)	0.87 (0.37, 2.07)	2.61 (0.72, 9.42)
<b>p-value</b>			<b>0.229</b>	<b>0.478</b>
<b>p-trend</b>			<b>0.429</b>	<b>0.161</b>
<b>Legislation breach</b>				
No breaches	110 (8.2)	1,237 (91.8)	ref.	ref.
One or more breaches	64 (16.3)	328 (83.7)	1.84 (1.40, 2.42)	2.24 (1.57, 3.20)
<b>p-value</b>			<b>&lt;0.001</b>	<b>&lt;0.001</b>

Includes entire sample of 1,739 listed and unlisted outlets.

% Percentage of retailers with each characteristic that are listed/unlisted.

<sup>^</sup> Unadjusted.

<sup>^^</sup> Adjusted for outlet type, remoteness of postal area, SES of postal area, % of postal area population less than 18 years, % of postal area population born in Australia and any legislation breach. Legislation breaches do not count being unlisted as a breach.

### One in four tobacco retailers did not comply with the legislation

More than one in four audited tobacco retailers (26.6%, Table 4) did not comply with the requirements of the *Public Health (Tobacco) Act 2008*. This was because they had not notified under the Retailer Notification Scheme (according to Ministry of Health records) or because they failed to comply with in-store requirements, or both.

The most commonly observed breach was failure to display a 'Smoking kills' warning sign (11.9% of retailers, Table 4). Tobacco products were on display in 5.5% of retailers and smoking accessories or non-tobacco smoking products were displayed in 3.6% of retailers (these figures do not include specialist tobacconists, which could still legally display tobacco and related products at the time of the survey). The type of smoking accessories and non-tobacco smoking products illegally displayed included water pipes and cigarette papers, filters and packets.

The audit results for the two types of breaches involving exact measurements should be interpreted with caution. The *Public Health (Tobacco) Regulation 2009*<sup>12</sup> states price lettering must be no more than 2 cm high and/or 1.5 cm wide and any tobacco display in a specialist tobacconist must be more than 2 m away from any public facing opening. Data collectors estimated these sizes and distances so these results may not be entirely accurate.

**Table 4: Observed breaches of tobacco retail legislation**

Type of breach	Number (%) of outlets
No 'Smoking kills' sign	201 (11.9)
Outlet selling tobacco but not listed with Ministry of Health	120 (6.9)
Displaying tobacco but not a specialist tobacconist	93 (5.5)
Displaying smoking accessories or non-tobacco smoking products but a specialist tobacconist	60 (3.6)
More than one type of price display	22 (1.3)
Prices more than 2 cm high and/or 1.5 cm wide	18 (1.1)
Outlet advertising or promoting cigarettes	14 (0.8)
Specialist tobacconist displaying tobacco less than 2 m away from a public facing opening	14 (0.8)
Non-compliant warning sign colour (identified from volunteer comments)	1 (0.1)
<b>Outlets with one or more observed breaches</b>	<b>448 (26.6)</b>
<b>Total breaches observed</b>	<b>n=543<sup>^</sup></b>

<sup>^</sup>Some outlets had more than one breach.

% = percentage of 1,685 listed and unlisted outlets surveyed in randomly selected postcodes.

### Unlisted retailers and those in disadvantaged areas were more likely to break retailing laws

Retailers not listed under the Retailer Notification Scheme were significantly more likely than listed retailers to breach in-store provisions of the legislation, even after adjusting for other factors ( $p < 0.001$ ; Table 5). Among unlisted outlets, 36.8% recorded a breach, compared to 21.0% of listed retailers.

Retailers in disadvantaged postcodes were significantly more likely to breach in-store provisions of the legislation than those in less disadvantaged postcodes. Again, this relationship held after adjusting for other factors ( $p\text{-trend} = 0.02$ ). Retailers in postcodes with a lower proportion of the population born in Australia were also significantly more likely to breach one or more in-store provisions ( $p\text{-trend} = 0.006$ ). The likelihood of breaches varied according to the percentage of children in the population ( $p = 0.013$ ). Retailers in postcodes with more than 22% of the population aged under 18 years were more likely to breach than those in postcodes with a lower percentage under 18, but the relationship was not linear (Table 5).

Breaches were more likely in certain types of outlets ( $p < 0.001$ ). Overall, tobacconists recorded a higher percentage of in-store breaches than other types of outlets, but again, care should be taken in interpreting this finding. Of the 81 tobacconists surveyed, 32 were recorded to be in breach of one or more in-store retail laws. The most commonly observed breaches in these stores were price lettering more than 2 cm high and/or 1.5 cm wide and display less than 2 m away from any public facing opening. As noted previously, data collectors were not able to measure the distance of the display from the store opening or the size of the price lettering and their estimates may not have been entirely accurate.

After adjusting for other factors, convenience stores and other/unspecified types of outlets, as well as tobacconists, were significantly more likely than supermarkets to have one or more breaches of the legislation. Significance was marginal for newsagents (Table 5).

**Cigarettes were cheaper in certain types of outlets, in areas with more young people and in disadvantaged areas**

Price data collected from 1,579 outlets showed the mean price per pack for Winfield 25s was \$18.01, with prices varying significantly between different types of outlets ( $p < 0.001$ ; Table 6). Tobacconists and supermarkets were the cheapest at \$16.09 and \$16.51 respectively, with convenience stores, petrol stations and licensed premises all significantly more expensive than supermarkets. Licensed premises including pubs, clubs, bars and bottle shops had the highest average pack price at \$18.83 (Figure 4; Table 6).

After taking into account the type of outlet and other factors that affect prices, we found a significant trend for lower prices in postcodes with a higher proportion of children in the population ( $p\text{-trend} < 0.001$ ). On average, prices were 62c lower in postcodes with 25% or more of the population aged under 18, compared to postcodes with less than 16% under 18 (Table 6).

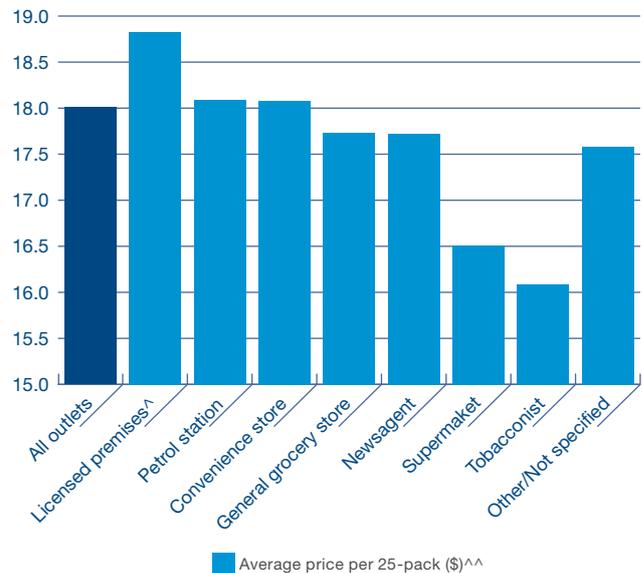
Prices also varied according to the level of disadvantage in the postcode, with the cheapest prices (\$17.40 per 25 pack) in the most disadvantaged postcodes. The relationship remained significant, but was not linear, after adjusting for other factors ( $p = 0.027$ ).

Prices were lower in postcodes with a higher proportion of the population born outside Australia (though the difference was only marginally significant ( $p = 0.055$ )). After allowing for other factors and compared to postcodes with 90% or more born in Australia, on average, a pack was 32c cheaper in postcodes with fewer than 60% born in Australia.

Unexpectedly, prices in regional and remote areas were similar to those in major cities. In fact prices were slightly, but not significantly, lower in regional and remote areas even after taking into account the type of outlet and other factors.

There was no significant difference in price between listed and unlisted retailers, or between retailers that breached in-store retail laws and those that complied.

**Figure 4:** Cigarette prices



<sup>^</sup>Includes vending machines and over-the-counter sales in pubs, clubs, hotels, bars, bottle shops and licensed restaurants.

<sup>^^</sup>Sample of 1,579 listed and unlisted outlets with information on price.

**Some tobacco retailers are leaving the market**

Our audit showed 418 of the 2,279 notified retailer records were either no longer selling tobacco or at the stated address. However, it was not possible to determine the number of *new* retailers entering the market over the same period as the list of retailer records provided to Cancer Council NSW by the Ministry of Health was a cumulative list and did not record entry or exit dates. Therefore, we could not determine whether the total number of tobacco retailers is increasing or decreasing over time.

**Table 5:** Associations between retailer characteristics and having one or more breaches\*

Characteristic	One or more breaches* n (%)	No breaches n (%)*	Odds ratio for having one or more breaches (vs. no breaches)	
			OR1^ (95% CI)	OR2^^ (95% CI)
	392 (22.5)	1,347 (77.5)		
<b>Outlet type</b>				
Supermarket	29 (17.5)	137 (82.5)	ref.	ref.
General grocery store	15 (32.6)	31 (67.4)	2.30 (1.02, 5.18)	1.98 (0.86, 4.58)
Convenience store	95 (27.6)	249 (72.4)	1.91 (1.22, 3.01)	2.12 (1.31, 3.43)
Petrol/service station	39 (15.5)	213 (84.5)	0.84 (0.51, 1.39)	0.92 (0.55, 1.53)
Newsagent	40 (23.4)	131 (76.6)	1.53 (0.93, 2.54)	1.68 (1.00, 2.84)
Licensed premises and/or vending	110 (18.5)	484 (81.5)	1.14 (0.72, 1.80)	1.20 (0.75, 1.93)
Tobacconist	32 (39.5)	49 (60.5)	2.90 (1.41, 5.96)	3.12 (1.50, 6.50)
Other/Not specified	32 (37.6)	53 (62.4)	2.88 (1.73, 4.81)	3.06 (1.76, 5.32)
<b>p-value</b>			<b>&lt;0.001</b>	<b>&lt;0.001</b>
<b>Remoteness of postal area</b>				
Major cities of Australia	283 (21.9)	1,011 (78.1)	ref.	ref.
Inner regional Australia	84 (26.3)	236 (73.8)	1.03 (0.62, 1.71)	1.33 (0.81, 2.18)
Outer regional and remote Australia	25 (20.0)	100 (80.0)	0.87 (0.49, 1.56)	1.01 (0.56, 1.85)
<b>p-value</b>			<b>0.890</b>	<b>0.514</b>
<b>SES of postal area</b>				
Lowest SES	67 (28.4)	169 (71.6)	ref.	ref.
2	84 (26.7)	231 (73.3)	0.83 (0.46, 1.50)	1.26 (0.68, 2.33)
3	72 (21.6)	262 (78.4)	0.73 (0.40, 1.35)	0.88 (0.47, 1.65)
4	105 (19.2)	442 (80.8)	0.55 (0.35, 0.88)	0.61 (0.35, 1.06)
Highest SES	64 (20.8)	243 (79.2)	0.68 (0.41, 1.16)	0.63 (0.35, 1.13)
<b>p-value</b>			<b>0.084</b>	<b>0.040</b>
<b>p-trend</b>			<b>0.043</b>	<b>0.020</b>
<b>% of postal area population less than 18 years</b>				
0 to <16	85 (24.1)	268 (75.9)	ref.	ref.
16 to <22	112 (19.0)	479 (81.0)	0.76 (0.49, 1.17)	0.73 (0.51, 1.03)
22 to <25	105 (26.9)	286 (73.1)	1.03 (0.65, 1.65)	1.48 (0.94, 2.33)
25+	90 (22.3)	314 (77.7)	1.01 (0.65, 1.58)	1.13 (0.72, 1.79)
<b>p-value</b>			<b>0.437</b>	<b>0.013</b>
<b>p-trend</b>			<b>0.396</b>	<b>0.084</b>
<b>% of postal area population born in Australia</b>				
0 to <60	143 (24.0)	454 (76.0)	ref.	ref.
60 to <70	64 (25.4)	188 (74.6)	1.08 (0.69, 1.71)	1.06 (0.69, 1.63)
70 to <90	125 (20.7)	480 (79.3)	0.66 (0.44, 1.00)	0.56 (0.36, 0.88)
90+	60 (21.1)	225 (78.9)	0.92 (0.54, 1.58)	0.46 (0.26, 0.83)
<b>p-value</b>			<b>0.107</b>	<b>0.013</b>
<b>p-trend</b>			<b>0.228</b>	<b>0.006</b>
<b>Listing with Ministry of Health</b>				
Listed	328 (21.0)	1,237 (79.0)	ref.	ref.
Unlisted	64 (36.8)	110 (63.2)	2.24 (1.53, 3.28)	2.42 (1.62, 3.61)
<b>p-value</b>			<b>&lt;0.001</b>	<b>&lt;0.001</b>

Includes entire sample of 1,739 listed and unlisted outlets.

% Percentage of retailers with each characteristic that have one or more breaches/no breaches.

^ Unadjusted.

^^ Adjusted for outlet type, remoteness of postal area, SES of postal area, % of postal area population less than 18 years, % of postal area population born in Australia and listed/unlisted status.

\* Does not include being unlisted as a breach.

**Table 6:** Associations between retailer characteristics and standard pack price

Characteristic	n (%)	Mean minimum price per pack <sup>^</sup> \$	Adjusted <sup>^^</sup> difference in means diff (95% CI)
	1,579 (100)	18.01	
<b>Listing with Ministry of Health</b>			
Listed	1,419 (89.9)	18.01	ref.
Unlisted	160 (10.1)	18.04	0.01 (-0.25, 0.27)
<b>p-value</b>			<b>0.956</b>
<b>Outlet type</b>			
Supermarket	154 (9.8)	16.51	ref.
General grocery store	34 (2.2)	17.73	1.17 (0.88, 1.45)
Convenience store	323 (20.5)	18.08	1.36 (1.15, 1.57)
Petrol/service station	237 (15.0)	18.09	1.58 (1.31, 1.84)
Newsagent	162 (10.3)	17.72	1.10 (0.83, 1.37)
Licensed premises and/or vending	520 (32.9)	18.83	2.22 (1.93, 2.50)
Tobacconist	77 (4.9)	16.09	-0.34 (-0.62, -0.06)
Other/Not specified	72 (4.6)	17.58	1.05 (0.67, 1.43)
<b>p-value</b>			<b>&lt;0.001</b>
<b>Remoteness of postal area</b>			
Major cities of Australia	1,174 (74.4)	18.08	ref.
Inner regional Australia	289 (18.3)	17.80	-0.13 (-0.47, 0.20)
Outer regional and remote Australia	116 (7.3)	17.87	-0.16 (-0.47, 0.15)
<b>p-value</b>			<b>0.560</b>
<b>SES of postal area</b>			
Lowest SES	215 (13.6)	17.40	ref.
2	291 (18.4)	17.86	0.41 (0.09, 0.74)
3	292 (18.5)	18.18	0.40 (0.10, 0.70)
4	493 (31.2)	18.19	0.36 (0.07, 0.64)
Highest SES	288 (18.2)	18.13	0.37 (0.07, 0.67)
<b>p-value</b>			<b>0.027</b>
<b>p-trend</b>			<b>0.147</b>
<b>% of postal area population less than 18 years</b>			
0 to <16	322 (20.4)	18.44	ref.
16 to <22	536 (33.9)	18.05	-0.24 (-0.53, 0.05)
22 to <25	358 (22.7)	17.88	-0.45 (-0.88, -0.03)
25+	363 (23.0)	17.71	-0.62 (-0.92, -0.32)
<b>p-value</b>			<b>&lt;0.001</b>
<b>p-trend</b>			<b>&lt;0.001</b>
<b>% of postal area population born in Australia</b>			
0 to <60	542 (34.3)	18.01	ref.
60 to <70	236 (14.9)	18.03	0.38 (0.08, 0.67)
70 to <90	546 (34.6)	18.04	0.20 (-0.07, 0.48)
90+	255 (16.1)	17.93	0.32 (-0.06, 0.69)
<b>p-value</b>			<b>0.055</b>
<b>p-trend</b>			<b>0.079</b>
<b>Legislation breach*</b>			
No breaches	1,234 (78.2)	18.09	ref.
One or more breaches	345 (21.8)	17.73	-0.13 (-0.39, 0.13)
<b>p-value</b>			<b>0.320</b>

Includes 1,579 listed and unlisted outlets with information on price.

% Percentage of retailers in each category.

<sup>^</sup> Price of a single Winfield 25 pack or half the price of a twin pack (if available), if lower.

<sup>^^</sup> Adjusted for listed/unlisted status, outlet type, remoteness of postal area, SES of postal area, % of postal area population less than 18 years, % of postal area population born in Australia and any legislation breach.

\* Does not include being unlisted as a breach.

# STRENGTHS AND LIMITATIONS

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The Cancer Council NSW audit of tobacco retailers provides new and unique information about tobacco retailing in NSW. It provides the first publicly available data about retailer compliance with key features of the *Public Health (Tobacco) Act 2008*,<sup>1</sup> and new data regarding cigarette prices in different neighbourhoods and retailer types.

The strengths of the study are the large sample size and the random selection of postcodes for audit within the areas covered by participating Cancer Council NSW offices. However, some outlets were excluded from the final sample because data collectors could not be recruited for five small rural postcodes among the 100 randomly selected. Furthermore, 50 outlets in the 95 remaining postcodes could not be audited, representing 3.1% of the active tobacco outlets in the sample.

The small number of unaudited outlets is unlikely to affect the internal validity of our findings. However, our study did not include most of the outer regional and remote areas of western NSW, so our conclusions may not be generalisable to these areas of the state.

Our audit methods relied on visual inspection by data collectors and we are therefore unable to draw firm conclusions about retailer breaches of the two provisions of the legislation that involved observations of size or distance (i.e. the requirement

that price board lettering is no more than 2 cm high and/or 1.5 cm wide and the requirement for any display of tobacco or related products by a specialist tobacconist is more than 2 m away from any public facing opening).

The latter requirement applied only to specialist tobacconists at the time of the survey as other retailers were already required to place tobacco and related products out of sight. Our results relating to legislation breaches by tobacconists are therefore differentially affected by any systematic errors in auditors' estimation of size and distance. As of 1 July 2013, however, all retailers including tobacconists must be fully compliant with the display ban on tobacco and related products, so the requirement that displays be placed more than 2 m from any public facing opening is now irrelevant.

The audit would not have been possible without the large number of volunteer community members and staff who gave up their time to collect data. However, this large number may have led to some inconsistencies in observation and although all participants were trained, inter-rater reliability was not assessed. Cancer Council NSW would welcome the release of any Ministry of Health tobacco retailer compliance data and/or monitoring procedures for comparison with our results.

## CONCLUSION

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Our results show many tobacco retailers in NSW are not meeting the full range of requirements of the *Public Health (Tobacco) Act 2008*.<sup>1</sup> More than one in four (26.6%) did not comply with one or more requirements of the Act, either because they had not notified under the Retailer Notification Scheme and/or because they failed to comply with in-store signage or display requirements.

We also found that data collected under the Retailer Notification Scheme (which was established under the legislation to support enforcement by accurately recording the number, type and location of tobacco retailers in NSW), is inadequate for this purpose. The list of retailers provided to Cancer Council NSW by the Ministry of Health contained many out-of-date and multiple records and a number of incorrect and invalid addresses. In addition, some tobacco retailers have failed to notify the Ministry of Health of their details as one unlisted retailer was found for about every 13 listed retailers.

Retailers failing to notify (i.e. those hardest for enforcement officers to find) were significantly more likely than notified retailers to breach in-store retail laws. Retailers in disadvantaged postcodes were also less likely to comply with these laws than those in less disadvantaged postcodes. People in disadvantaged communities are more likely to be smokers<sup>6</sup> and find it harder to quit,<sup>19</sup> so our results suggest those at most risk of tobacco-related harm are afforded the least protection by

the laws currently in place. Outlets in disadvantaged areas and areas with a higher proportion of children were also more likely to sell tobacco at lower prices.

Outlets that are often used for unplanned cigarette purchases (i.e. licensed premises, convenience stores, petrol stations and newsagents) were the most numerous, comprising almost 80% of places to buy tobacco. This suggests there is scope to reduce the overall number of tobacco outlets, thereby supporting people who want to quit smoking or smoke less, without making it unreasonably difficult for smokers who have no plans to quit. The latter group is more likely to plan their cigarette purchases and buy at supermarkets and tobacconists, which sell at lower prices and dominate market share.

Stronger regulation of tobacco retailing would send an unambiguous public signal that tobacco is an exceptionally harmful product<sup>20</sup> and contribute to denormalisation of smoking and tobacco products. The challenge is to identify policies that will maximise public health benefits by supporting smokers to quit and remain quit, help prevent youth uptake and reduce the disparity in smoking prevalence between disadvantaged communities and the general population.

A more detailed discussion of the policy implications of these findings can be found in the Cancer Council NSW report, *Selling tobacco anywhere, anytime: harmful not helpful*.<sup>2</sup>

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# APPENDIX

## Survey form for listed tobacco retailers

VOLUNTEER NAME: \_\_\_\_\_ DATE: \_\_\_/\_\_\_/\_\_\_

### OUTLET DETAILS:

**OUTLET NUMBER: 10762**

Trading name (if known):	<i>If any of these details don't seem to be correct, please note any apparent inaccuracies.</i>
Business name: XYZ PTY LTD	
Address: 75 MAIN ST SUBURBTOWN NSW 2500	
Business type as listed: LICENSED PREMISES WITH VENDING	

1. Do you live in the same postcode as this outlet/store? (tick one)  No  Yes

### OUTSIDE THE OUTLET/STORE:

2. How would you classify the outlet/store? (tick the one that fits best)
- Supermarket  General grocery store  Convenience store
- Petrol/service station  Newsagent
- Bottle shop (stand alone)  Bottle shop (attached to a bar, pub or club)
- Licensed premises (bar, pub, club, licensed restaurant)
- Tobacconist (at least 80 per cent of display appears to be tobacco, non-tobacco smoking products and/or smoking accessories)
- Duty free store  Other (please specify) \_\_\_\_\_

### INSIDE THE OUTLET/STORE:

3. Does the outlet/store sell cigarettes or tobacco or smoking products (e.g. cigarette paper, cigarette packet covers, waterpipes)? (tick one)

No (if 'No', finish here)  Yes

4. Can you see cigarettes or tobacco? (tick one)

No (go to question 5)

Yes, tobacco is openly displayed

Yes, tobacco in shelving or drawers, but they are open even though no-one is buying

Yes, but only because someone is buying or enquiring about a sale

#### **If yes:**

Does the outlet/store appear to be a tobacconist? (at least 80 per cent of display appears to be cigarettes and tobacco, non-tobacco smoking products and/or smoking accessories) (tick one)

No  Yes

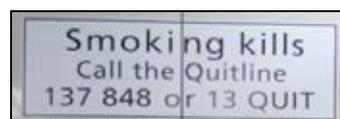
Do you think the display of tobacco is at least two metres from any public facing opening? (tick one)

No  Yes  Not sure

5. Can you see any advertising or promotion for cigarettes (e.g. a poster, clock, branding)? *(tick one)*  
 No  Yes *(if yes, what can you see?)* \_\_\_\_\_  
\_\_\_\_\_

6. Are there any non-tobacco smoking products (not including matches or lighters) on display (e.g. cigarette paper, cigarette packet covers, waterpipes)? *(tick one)*  
 No  Yes *(if yes, what can you see?)* \_\_\_\_\_  
\_\_\_\_\_

7. Can you see a 'Smoking Kills' sign? *(tick one)*  
 No  Yes ***(go to question 8)***



***If no:*** Can you see any other smoking warning signs?  
 No  Yes *(If yes, please specify)* \_\_\_\_\_

8. How are prices displayed? *(tick one or more)*  
 On one printed brand and price list ***(go to question 9)***  
 Separate 'price tickets' (i.e. one printed price card per product) ***(go to question 10)***  
 Hand written on a display panel or other ***(go to question 10)***  
 Can't see any prices ***(go to question 11)***  
 Other *(please specify)* \_\_\_\_\_ ***(go to question 10)***

9. If there is **one** price list, where is it located? *(tick one)*  
 On the front of a cupboard containing cigarettes  
 On a wall facing customers, but not on a tobacco cupboard  
 On the counter  
 Other *(please specify)* \_\_\_\_\_

10. Do you think the size of prices is the correct size (i.e. no more than 2 cm (0.8") high and no more than 1.5 cm (0.6") wide)? *(see example)*  
 Definitely larger  Possibly larger  Probably correct size or smaller

11. What's the price of:  
Winfield 25 cigarettes? \_\_\_\_\_ or  Not stocked  
Winfield twin pack (Winfield 50s?) \_\_\_\_\_ or  Not stocked

12. ***For licenced premises (bars, pubs, clubs, licensed restaurants) only:*** How are cigarettes sold? *(tick all that apply)*  
 Through a vending machine  Over the counter  
 Other *(please specify)* \_\_\_\_\_

13. Do you have any comments? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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