



**State of Arkansas
Department of Finance
And Administration**

DFA - ARKANSAS TOBACCO CONTROL

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**BOARD MEETING MINUTES
OCTOBER 1, 2020**

The Arkansas Tobacco Control Board met on Thursday, October 1, 2020 for its monthly meeting in the Main Street Mall Building, located at 101 E. Capitol Avenue, Little Rock, Arkansas, beginning at 10:00 a.m. in Suite 119. There were 7 Board members present via Zoom. Those attending were Chairman Kevin Case, Mr. Jay Hickey, Mr. Sam Stathakis, Jr., Mrs. Carol Dyer, Mr. Gary Proffitt and Dr. Brad Mayfield. Dr. Shabbir Dharamsey joined the zoom meeting shortly after meeting had started. Dr. Patricia Knott was not able to attend today's meeting.

Chairman Kevin Case opened the meeting with greetings to staff, board members and attendees in the audience in the board room. The Hearing Officer and Court Reporter were not present for today's meeting.

BOARD MEETING MINUTES

Chairman Case asked for a motion to approve the board meeting minutes from August 13th, 2020. A motion was made to approve the August minutes and it was passed with 6 yes votes with 2 absent.

CONSENT ORDERS

Core-mark Distributors
Permit #36301-01
Case #2020-140 – Selling Below Minimum

The consent order was presented to the board requesting approval. A motion was made to accept and a decision was made to approve with 7 yes votes and 1 absent.

WHOLESALE APPLICATIONS

Director Greg Sled presented 1 new Wholesale application to the board for approval.

Kaival Brands Innovations Group - Grant-Valkaria, FL

A motion was made and seconded. The Wholesale permit was approved with 7 yes votes and 1 absent.

NEW PERMITS ISSUED

Director Greg Sled asked the Board members to review the list of 59 new permits issued from August 7, 2020 through September 27, 2020. The new permits issued were approved by the board with 7 yes votes with 1 absent.

ACCEPTED OFFERS OF SETTLEMENT

Director Sled then asked the board members to review the list of Accepted Offers of Settlement dated September 3rd and October 1st, 2020 which were approved by the board with 7 yes votes and 1 absent.

ENFORCEMENT ACTIVITY

Director Greg Sled reported to the board there was a finding on the Internal Control and Compliance Assessment by Arkansas Legislative Audit for FY18 and FY19. He reported the agency was unable to produce complete aging reports for the period audited primarily due to a data conversion issue as we moved from our FoxPro database to our new records management system. He reported the issue has been corrected.

Our enforcement agents are still mainly focused on Covid 19 investigations on restaurants and bars at this time. We have completed 2446 Inspections that resulted in 199 violations with a violation rate of 8.14%.

FDA ACTIVITY

Deputy Director Ray Owens reported that their Administrative Assistant position that was open earlier has been put on hold until later after the virus pandemic has passed. Their new 4-year contract has been approved and the FDA agents are still working with the Alcohol and Tobacco agents on Covid 19 inspections and permit inspections. He also gave a brief FDA regulations update concerning the new Puff Bars that are on the market.

LEGAL UPDATE

Attorney Lindsey Burnett reported no new court activity.

OPEN FORUM

Director Sled ask if there were any questions or comments from the audience which there were none.

ADJOURNMENT

In closing, Chairman Case stated that our next meeting is scheduled for November 5, 2020. A motion was made and seconded to adjourn. It was approved with 7 yes votes and 1 absent. The meeting was adjourned.

Minutes prepared by

October 1, 2020

Pat Dykes

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