



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

**DFA - ARKANSAS TOBACCO CONTROL**

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**BOARD MEETING MINUTES  
OCTOBER 7, 2021**

The Arkansas Tobacco Control Board met on Thursday, October 7, 2021 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 seven (7) Board members present.

- **Board Members Present:** Chairman Gary Proffitt Jr., Mr. Kerry Lott, Mr. Sam Stathakis, Mr. David Hendrix, Jr. and Dr. Patricia Knott.
- **Other Board Members:** Mrs. Carol Dyer attended on-line and Dr. Shabbir Dharamsey arrived late.
- **Absent Board Members:** Dr. Brad Mayfield

**CALL TO ORDER.**

- Chairman Gary Proffitt called the ATC Board meeting to order and opened the meeting welcoming the guests and staff.
- There were no hearings set for today's Board Meeting. As a result, neither a hearing officer nor a court reporter was present.

**BOARD MEETING MINUTES**

Chairman Gary Proffitt asked for a motion to approve the board meeting minutes from September 2, 2021. A motion was made by Mr. Sam Stathakis and seconded by Mr. Kerry Lott to approve the September 2nd minutes. It passed with six (6) yes votes and two (2) absent.

**WHOLESALE PERMIT APPLICATIONS**

Chairman Gary Proffitt presented three (3) new Wholesale Tobacco and Vapor product Permit applications to the Board for approval.

**1. A.H. Traders - Dallas, TX**

- A motion was made to accept and approve the wholesaler permit for A.H. Traders by Dr. Shabbir Dharamsey and seconded by Mr. Sam Stathakis.

## **2. Safa Goods LLC - Port Charlotte, FL**

- A motion was made to accept and approve the wholesaler permit for Safa Good LLC by Dr. Patricia Knott and seconded by Mrs. Carol Dyer.

## **3. VPR Collection - City of Industry, CA**

- A motion was made to accept and approve the wholesaler permit for VPR Collection by Dr. Shabbir Dharamsey and seconded by Mr. Sam Stathakis.

The ATC Board accepted and approved the three (3) Wholesaler Permit applications with seven (7) yes votes and one (1) absent.

### **NEW PERMITS ISSUED**

- Chairman Gary Proffitt asked the Board members to review the list of sixty (60) new permits issued from September 2nd through October 4th, 2021. Mr. David Hendrix, Jr. ask a question regarding the special events permits that were on the list that was answered by Attorney Will Olson. A motion was made to accept and approve the list of sixty (60) new permits issued by Mrs. Carol Dyer and seconded by Mr. Sam Stathakis. The motion passed with seven (7) yes votes and one (1) absent.

### **DEFAULT JUDGEMENTS**

- Attorney Will Olson asked the Board members to review the list of twelve (12) retailers that failed to reply to Offers of Settlement by the September 2, 2021 deadline excluding two (2) that made arrangements for payment prior to beginning of meeting. Mr. David Hendrix Jr. ask about suspension period for Failure to Maintain invoices and Mr. Stathakis ask how the defaults were being handled with Attorney Will Olson answering both questions. A motion was made to accept and approve the retail default list by Mr. Sam Stathakis and seconded by Dr. Shabbir Dharamsey. The motion passed with seven (7) yes votes and one (1) absent.

### **ACCEPTED OFFERS OF SETTLEMENT**

- Attorney Will Olson asked the Board members to review the list of Accepted Offers of Settlement dated October 7th, 2021. A motion was made to accept the Accepted Offers of Settlement excluding the suspension period for Central AR Petro due to them participating in the Approved Training Program by Mr. Sam Stathakis and seconded by Dr. Shabbir Dharamsey. The motion passed with seven (7) yes votes and one (1) absent.

## ENFORCEMENT ACTIVITY

- Director Sled reported that for the month of September enforcement completed 348 compliance checks with 56 violations. For FY 2022 we have completed 1354 compliance checks with 165 violations for a violation rate of 12.19%. Enforcement also completed 117 inspections in September 2021 with 49 violations.

## FDA ACTIVITY

- Deputy Director Owens reported from the FDA Division that for the month of September they completed 183 inspections that resulted in 12 violations with a 6.6% violation rate. Follow up inspections have now been approved by FDA for October.

## LEGAL UPDATE

- ATC Attorney Will Olson reported no updates for this month.

## OPEN FORUM

- Chairman Gary Proffitt asked if there were any questions or comments from the Board members. There were no questions or comments made at that time.
- Chairman Gary Proffitt asked those in the public audience if there were any questions or comments. There were no questions or comments made at that time.

## ADJOURNMENT

In closing, Chairman Gary Proffitt stated that the next ATC Board meeting is scheduled for November 4th, 2021. A motion was made to approve by Mrs. Carol Dyer and seconded by Dr. Shabbir Dharamsey to adjourn. It was approved with seven (7) yes votes and one (1) absent. The meeting was adjourned.

**Minutes prepared by:**

Pat Dykes  
Pat Dykes

**Dated:** October 20, 2021