

SUMMARY Analysis of FDA Compliance Check Data

FFY 2011-2023
through 09/30/2023

| FDA Inspection Type | Year | Total Compliance Checks | Number of "NO Violations" | Number of Warning Letters | Number of Civil Money Penalties | Number of No-Tobacco-Sale Orders | Violation Rate |
|---|---------|-------------------------|---------------------------|---------------------------|---------------------------------|----------------------------------|----------------|
| Where Minors were involved. (Example: Violations may be a sale to a minor, but may be other violations, such as observed banned self-service racks or other advertision or merchandising violations.) | FFY2011 | 11,049 | 10,271 | 777 | 1 | | 7.04% |
| | FFY2012 | 43,245 | 39,419 | 3,443 | 383 | | 8.85% |
| | FFY2013 | 52,027 | 46,651 | 4,843 | 533 | | 10.33% |
| | FFY2014 | 68,233 | 60,286 | 6,871 | 1,076 | | 11.65% |
| | FFY2015 | 126,582 | 107,627 | 15,667 | 3,288 | | 14.97% |
| | FFY2016 | 130,059 | 114,366 | 12,057 | 3,636 | 24 | 12.07% |
| | FFY2017 | 129,306 | 110,877 | 12,397 | 6,032 | 55 | 14.25% |
| | FFY2018 | 126,303 | 111,355 | 11,894 | 3,054 | 45 | 11.84% |
| | FFY2019 | 144,684 | 125,341 | 14,635 | 4,708 | 11 | 13.37% |
| | FFY2020 | 63,019 | 55,965 | 4,724 | 2,330 | 32 | 11.19% |
| | FFY2021 | 22,785 | 18,728 | 4,047 | 10 | 1 | 17.81% |
| | FFY2022 | 91,449 | 74,463 | 15,711 | 1,275 | 0 | 18.57% |
| | FFY2023 | 105,336 | 89,038 | 12,438 | 3,860 | 1 | 15.47% |
| | | 1,114,077 | 964,387 | 119,504 | 30,186 | 169 | 13.44% |
| Adult Inspectors Only (Example: Violations observed by an adult inspector may include banned self-service racks, vending machine, "loosies", banned advertising such as "light", etc.) | FFY2011 | 13,355 | 13,110 | 245 | 0 | | 1.83% |
| | FFY2012 | 44,217 | 43,553 | 664 | 0 | | 1.50% |
| | FFY2013 | 57,833 | 56,683 | 1,149 | 1 | | 1.99% |
| | FFY2014 | 55,485 | 54,253 | 1,232 | 0 | | 2.22% |
| | FFY2015 | 35,222 | 34,429 | 793 | 0 | | 2.25% |
| | FFY2016 | 31,563 | 31,100 | 463 | 0 | | 1.47% |
| | FFY2017 | 30,868 | 30,497 | 371 | 0 | | 1.20% |
| | FFY2018 | 5,820 | 5,722 | 96 | 2 | | 1.68% |
| | FFY2019 | 1,735 | 1,721 | 13 | 1 | | 0.81% |
| | FFY2020 | 2,268 | 2,140 | 127 | 1 | 0 | 5.64% |
| | FFY2021 | 7,780 | 7,767 | 12 | 1 | 0 | 0.17% |
| | FFY2022 | 120 | 119 | 1 | 0 | 0 | 0.83% |
| | FFY2023 | 802 | 633 | 147 | 22 | 0 | 21.07% |
| | | 287,068 | 281,727 | 5,313 | 28 | 0 | 1.86% |
| TOTAL | FFY2011 | 24,404 | 23,381 | 1,022 | 1 | 0 | 4.19% |
| | FFY2012 | 87,462 | 82,972 | 4,107 | 383 | 0 | 5.13% |
| | FFY2013 | 109,860 | 103,334 | 5,992 | 534 | 0 | 5.94% |
| | FFY2014 | 123,718 | 114,539 | 8,103 | 1,076 | 0 | 7.42% |
| | FFY2015 | 161,804 | 142,056 | 16,460 | 3,288 | 0 | 12.20% |
| | FFY2016 | 161,622 | 145,466 | 12,520 | 3,636 | 24 | 10.00% |
| | FFY2017 | 160,174 | 141,374 | 12,768 | 6,032 | 55 | 11.74% |
| | FFY2018 | 132,123 | 117,077 | 11,990 | 3,056 | 45 | 11.39% |
| | FFY2019 | 146,419 | 127,062 | 14,648 | 4,709 | 11 | 13.22% |
| | FFY2020 | 65,287 | 58,105 | 4,851 | 2,331 | 32 | 11.00% |
| | FFY2021 | 30,565 | 26,495 | 4,059 | 11 | 1 | 13.32% |
| | FFY2022 | 91,569 | 74,582 | 15,712 | 1,275 | 0 | 18.55% |
| | FFY2023 | 106,138 | 89,671 | 12,585 | 3,882 | 1 | 15.51% |
| | | 1,401,145 | 1,246,114 | 124,817 | 30,214 | 169 | 11.06% |

Information about FDA publicly available Enforcement Data

FDA raw data now enables the reporting of:

Federal Fiscal Year (FFY) statistics, which is Oct. 1-Sep. 30. – based upon an FDA "Decision Date" of the reported results of an FDA inspection of a retail store

Identifying information on the type of enforcement check that was conducted and the results. For example, FDA conducts two types of inspections of retail stores:

- Inspections of retail stores where minors are involved. These inspections involve an attempted purchase by a minor of FDA regulated products.
- Inspections of retail stores where no minors are involved. These inspections involve adult inspectors who look for violations such as: banned self-service racks, banned vending machines, banned single cigarette sales also known as "loosies", banned advertising of product, such as "lights" or banned characterizing flavors.

The raw data fields of the publicly available data are:

- Retailer Name**
- Street Address City, State, Zip**
- Decision Type** -- (No Violation, Warning Letter or Civil Money Penalty)
- Minor Involved** -- Yes or No
- Sale to Minor** -- Yes or No
- Decision Date** -- The date FDA determined a Decision Type from a previously completed FDA inspection.
- Link** -- a link to either a Warning Letter or a Civil Money Penalty
- Inspection Date** -- for data with violations
- Product & Brand** -- only available for Warning Letter and Civil Money Penalty data.



Data Analysis: This analysis was completed by The We Card Program, Inc. using publically available raw data posted online at fda.gov. Calculations of Total Compliance Checks and Violation Rate were computed by The We Card Program. Inspections Data FFY 2011-2023, accessed 10/15/23.

**Analysis of FDA Compliance Check Data
FFY 2023 By State through 09/30/2023**

| State | FFY 2023 TOTAL ALL TYPES OF INSPECTIONS | | | | | | FFY 2023 INSPECTIONS Involving a Minor | | | | | | FFY 2023 INSPECTIONS NOT Involving a Minor | | | | | |
|--------------|--|---------------------------|---------------------------|---------------------------------|----------------------------------|----------------|---|---------------------------|---------------------------|---------------------------------|----------------------------------|----------------|---|---------------------------|---------------------------|---------------------------------|----------------------------------|----------------|
| | Total Compliance Checks | Number of "NO Violations" | Number of Warning Letters | Number of Civil Money Penalties | Number of No-Tobacco-Sale Orders | Violation Rate | Total Compliance Checks | Number of "NO Violations" | Number of Warning Letters | Number of Civil Money Penalties | Number of No-Tobacco-Sale Orders | Violation Rate | Total Compliance Checks | Number of "NO Violations" | Number of Warning Letters | Number of Civil Money Penalties | Number of No-Tobacco-Sale Orders | Violation Rate |
| 1 AK | 65 | 61 | 4 | 0 | 0 | 6.15% | 63 | 59 | 4 | 0 | 0 | 6.35% | 2 | 2 | 0 | 0 | 0 | 0.00% |
| 2 AL | 2,553 | 2,266 | 265 | 22 | 0 | 11.24% | 2,521 | 2,241 | 258 | 22 | 0 | 11.11% | 32 | 25 | 7 | 0 | 0 | 21.88% |
| 3 AR | 2,769 | 2,643 | 110 | 16 | 0 | 4.55% | 2,756 | 2,631 | 109 | 16 | 0 | 4.54% | 13 | 12 | 1 | 0 | 0 | 7.69% |
| 4 AZ | 1,610 | 1,432 | 166 | 12 | 0 | 11.06% | 1,585 | 1,416 | 157 | 12 | 0 | 10.66% | 25 | 16 | 9 | 0 | 0 | 36.00% |
| 5 CA | 2,059 | 1,852 | 152 | 55 | 0 | 10.05% | 2,024 | 1,817 | 152 | 55 | 0 | 10.23% | 35 | 35 | 0 | 0 | 0 | 0.00% |
| 6 CO | 3,749 | 3,278 | 366 | 105 | 0 | 12.56% | 3,729 | 3,268 | 356 | 105 | 0 | 12.36% | 20 | 10 | 10 | 0 | 0 | 50.00% |
| 7 CT | 3,388 | 2,799 | 373 | 216 | 0 | 17.38% | 3,359 | 2,777 | 366 | 216 | 0 | 17.33% | 29 | 22 | 7 | 0 | 0 | 24.14% |
| 8 DC | 166 | 111 | 55 | 0 | 0 | 33.13% | 166 | 111 | 55 | 0 | 0 | 33.13% | 0 | 0 | 0 | 0 | 0 | 0 |
| 9 DE | 844 | 780 | 50 | 14 | 0 | 7.58% | 830 | 770 | 46 | 14 | 0 | 7.23% | 14 | 10 | 4 | 0 | 0 | 28.57% |
| 10 FL | 7,154 | 5,124 | 1,636 | 394 | 0 | 28.38% | 7,094 | 5,086 | 1,622 | 386 | 0 | 28.31% | 60 | 38 | 14 | 8 | 0 | 36.67% |
| 11 GA | 3,738 | 3,692 | 39 | 7 | 0 | 1.23% | 3,736 | 3,691 | 39 | 6 | 0 | 1.20% | 2 | 1 | 0 | 1 | 0 | 50.00% |
| 12 HI | 342 | 317 | 17 | 8 | 0 | 7.31% | 342 | 317 | 17 | 8 | 0 | 7.31% | 0 | 0 | 0 | 0 | 0 | 0 |
| 13 IA | 3,218 | 3,051 | 123 | 44 | 0 | 5.19% | 3,217 | 3,050 | 123 | 44 | 0 | 5.19% | 1 | 1 | 0 | 0 | 0 | 0.00% |
| 14 ID | 857 | 790 | 65 | 2 | 0 | 7.82% | 830 | 765 | 63 | 2 | 0 | 7.83% | 27 | 25 | 2 | 0 | 0 | 7.41% |
| 15 IL | 4,176 | 3,498 | 515 | 163 | 0 | 16.24% | 4,166 | 3,489 | 514 | 163 | 0 | 16.25% | 10 | 9 | 1 | 0 | 0 | 10.00% |
| 16 IN | 1,274 | 1,038 | 160 | 76 | 0 | 18.52% | 1,274 | 1,038 | 160 | 76 | 0 | 18.52% | 0 | 0 | 0 | 0 | 0 | 0 |
| 17 KS | 1,706 | 1,626 | 77 | 3 | 0 | 4.69% | 1,706 | 1,626 | 77 | 3 | 0 | 4.69% | 0 | 0 | 0 | 0 | 0 | 0 |
| 18 KY | 3,097 | 2,736 | 265 | 96 | 0 | 11.66% | 3,075 | 2,715 | 264 | 96 | 0 | 11.71% | 22 | 21 | 1 | 0 | 0 | 4.55% |
| 19 LA | 1,874 | 1,531 | 257 | 86 | 0 | 18.30% | 1,849 | 1,516 | 249 | 84 | 0 | 18.01% | 25 | 15 | 8 | 2 | 0 | 40.00% |
| 20 MA | 4,088 | 3,615 | 381 | 92 | 0 | 11.57% | 4,088 | 3,615 | 381 | 92 | 0 | 11.57% | 0 | 0 | 0 | 0 | 0 | 0 |
| 21 MD | 2,710 | 2,359 | 346 | 5 | 0 | 12.95% | 2,669 | 2,324 | 340 | 5 | 0 | 12.93% | 41 | 35 | 6 | 0 | 0 | 14.63% |
| 22 ME | 1,206 | 1,171 | 33 | 2 | 0 | 2.90% | 1,206 | 1,171 | 33 | 2 | 0 | 2.90% | 0 | 0 | 0 | 0 | 0 | 0 |
| 23 MI | 2,496 | 1,866 | 430 | 200 | 0 | 25.24% | 2,496 | 1,866 | 430 | 200 | 0 | 25.24% | 0 | 0 | 0 | 0 | 0 | 0 |
| 24 MN | 4,147 | 3,646 | 358 | 143 | 0 | 12.08% | 4,146 | 3,645 | 358 | 143 | 0 | 12.08% | 1 | 1 | 0 | 0 | 0 | 0.00% |
| 25 MO | 4,594 | 3,995 | 391 | 208 | 0 | 13.04% | 4,560 | 3,971 | 382 | 207 | 0 | 12.92% | 34 | 24 | 9 | 1 | 0 | 29.41% |
| 26 MS | 2,264 | 2,086 | 129 | 49 | 0 | 7.86% | 2,259 | 2,083 | 129 | 47 | 0 | 7.79% | 5 | 3 | 0 | 2 | 0 | 40.00% |
| 27 MT | 1,121 | 1,069 | 44 | 8 | 0 | 4.64% | 1,121 | 1,069 | 44 | 8 | 0 | 4.64% | 0 | 0 | 0 | 0 | 0 | 0 |
| 28 NC | 2,291 | 1,875 | 323 | 93 | 0 | 18.16% | 2,268 | 1,860 | 316 | 92 | 0 | 17.99% | 23 | 15 | 7 | 1 | 0 | 34.78% |
| 29 ND | 107 | 90 | 16 | 1 | 0 | 15.89% | 107 | 90 | 16 | 1 | 0 | 15.89% | 0 | 0 | 0 | 0 | 0 | 0 |
| 30 NE | 772 | 664 | 92 | 16 | 0 | 13.99% | 762 | 655 | 91 | 16 | 0 | 14.04% | 10 | 9 | 1 | 0 | 0 | 10.00% |
| 31 NH | 849 | 698 | 107 | 44 | 0 | 17.79% | 844 | 695 | 106 | 43 | 0 | 17.65% | 5 | 3 | 1 | 1 | 0 | 40.00% |
| 32 NJ | 3,296 | 2,431 | 553 | 312 | 0 | 26.24% | 3,272 | 2,407 | 553 | 312 | 0 | 26.44% | 24 | 24 | 0 | 0 | 0 | 0.00% |
| 33 NM | 548 | 475 | 71 | 2 | 0 | 13.32% | 509 | 436 | 71 | 2 | 0 | 14.34% | 39 | 39 | 0 | 0 | 0 | 0.00% |
| 34 NV | 320 | 293 | 27 | 0 | 0 | 8.44% | 320 | 293 | 27 | 0 | 0 | 8.44% | 0 | 0 | 0 | 0 | 0 | 0 |
| 35 NY | 4,407 | 3,155 | 1,007 | 245 | 0 | 28.41% | 4,390 | 3,140 | 1,005 | 245 | 0 | 28.47% | 17 | 15 | 2 | 0 | 0 | 11.76% |
| 36 OH | 1,713 | 1,284 | 299 | 130 | 0 | 25.04% | 1,699 | 1,272 | 297 | 130 | 0 | 25.13% | 14 | 12 | 2 | 0 | 0 | 14.29% |
| 37 OK | 909 | 748 | 119 | 42 | 0 | 17.71% | 838 | 682 | 115 | 41 | 0 | 18.62% | 71 | 66 | 4 | 1 | 0 | 7.04% |
| 38 OR | 657 | 577 | 79 | 1 | 0 | 12.18% | 653 | 573 | 79 | 1 | 0 | 12.25% | 4 | 4 | 0 | 0 | 0 | 0.00% |
| 39 PA | 2,281 | 1,867 | 338 | 76 | 0 | 18.15% | 2,271 | 1,858 | 338 | 75 | 0 | 18.19% | 10 | 9 | 0 | 1 | 0 | 10.00% |
| 40 RI | 765 | 639 | 93 | 33 | 0 | 16.47% | 764 | 638 | 93 | 33 | 0 | 16.49% | 1 | 1 | 0 | 0 | 0 | 0.00% |
| 41 SC | 1,603 | 1,333 | 212 | 58 | 0 | 16.84% | 1,584 | 1,318 | 208 | 58 | 0 | 16.79% | 19 | 15 | 4 | 0 | 0 | 21.05% |
| 42 SD | 104 | 88 | 15 | 1 | 0 | 15.38% | 104 | 88 | 15 | 1 | 0 | 15.38% | 0 | 0 | 0 | 0 | 0 | 0 |
| 43 TN | 3,355 | 2,790 | 453 | 112 | 0 | 16.84% | 3,321 | 2,766 | 445 | 110 | 0 | 16.71% | 34 | 24 | 8 | 2 | 0 | 37.84% |
| 44 TX | 5,464 | 4,568 | 588 | 308 | 1 | 16.40% | 5,427 | 4,545 | 575 | 307 | 1 | 16.25% | 37 | 23 | 13 | 1 | 0 | 37.84% |
| 45 UT | 245 | 239 | 6 | 0 | 0 | 2.45% | 244 | 238 | 6 | 0 | 0 | 2.46% | 1 | 1 | 0 | 0 | 0 | 0.00% |
| 46 VA | 1,458 | 969 | 453 | 36 | 0 | 33.54% | 1,424 | 948 | 440 | 36 | 0 | 33.43% | 34 | 21 | 13 | 0 | 0 | 38.24% |
| 47 VT | 238 | 195 | 28 | 15 | 0 | 18.07% | 238 | 195 | 28 | 15 | 0 | 18.07% | 0 | 0 | 0 | 0 | 0 | 0 |
| 48 WA | 2,533 | 2,040 | 330 | 163 | 0 | 19.46% | 2,500 | 2,011 | 326 | 163 | 0 | 19.56% | 33 | 29 | 4 | 0 | 0 | 12.12% |
| 49 WI | 2,216 | 1,753 | 380 | 83 | 0 | 20.89% | 2,201 | 1,744 | 375 | 82 | 0 | 20.76% | 15 | 9 | 5 | 1 | 0 | 40.00% |
| 50 WV | 2,551 | 2,283 | 183 | 85 | 0 | 10.51% | 2,541 | 2,277 | 179 | 85 | 0 | 10.39% | 10 | 6 | 4 | 0 | 0 | 40.00% |
| 51 WY | 191 | 185 | 6 | 0 | 0 | 3.14% | 188 | 182 | 6 | 0 | 0 | 3.19% | 3 | 3 | 0 | 0 | 0 | 0.00% |
| TOTAL | 106,138 | 89,671 | 12,585 | 3,882 | 1 | 15.51% | 105,336 | 89,038 | 12,438 | 3,860 | 1 | 15.47% | 802 | 633 | 147 | 22 | 0 | 21.07% |

**Analysis of FDA Compliance Check Data
FFY 2023 By Month**

| Year | Month | FFY 2023 TOTAL ALL TYPES OF INSPECTIONS | | | | | FFY 2023 INSPECTIONS <i>Involving a Minor</i> | FFY 2023 INSPECTIONS <i>NOT Involving a Minor</i> | | | | | | | | |
|--------------|-------|--|---------------------------|---------------------------|---------------------------------|----------------|--|--|---------------------------|---------------------------|---------------------------------|----------------|------------|------------|-----------|---------------|
| | | Total Compliance Checks | Number of "NO Violations" | Number of Warning Letters | Number of Civil Money Penalties | Violation Rate | | Total Compliance Checks | Number of "NO Violations" | Number of Warning Letters | Number of Civil Money Penalties | Violation Rate | | | | |
| 2022 | Oct | 7,865 | 6,522 | 1,104 | 239 | 17.08% | 7,859 | 6,516 | 1,104 | 239 | 17.09% | 6 | 6 | 0 | 0 | 0.00% |
| 2022 | Nov | 8,014 | 6,716 | 1,083 | 215 | 16.20% | 8,002 | 6,704 | 1,083 | 215 | 16.22% | 12 | 12 | 0 | 0 | 0.00% |
| 2022 | Dec | 7,690 | 6,463 | 971 | 256 | 15.96% | 7,668 | 6,441 | 971 | 256 | 16.00% | 22 | 22 | 0 | 0 | 0.00% |
| 2023 | Jan | 8,927 | 7,467 | 1,223 | 237 | 16.35% | 8,911 | 7,451 | 1,223 | 237 | 16.38% | 16 | 16 | 0 | 0 | 0.00% |
| 2023 | Feb | 8,770 | 7,419 | 1,112 | 239 | 15.40% | 8,696 | 7,348 | 1,109 | 239 | 15.50% | 74 | 71 | 3 | 0 | 4.05% |
| 2023 | Mar | 9,848 | 8,355 | 1,089 | 404 | 15.16% | 9,755 | 8,265 | 1,086 | 404 | 15.27% | 93 | 90 | 3 | 0 | 3.23% |
| 2023 | Apr | 9,275 | 7,817 | 1,104 | 354 | 15.72% | 9,219 | 7,761 | 1,104 | 354 | 15.82% | 56 | 56 | 0 | 0 | 0.00% |
| 2023 | May | 9,946 | 8,188 | 1,357 | 401 | 17.68% | 9,746 | 8,067 | 1,278 | 401 | 17.23% | 200 | 121 | 79 | 0 | 39.50% |
| 2023 | Jun | 8,296 | 6,815 | 1,110 | 371 | 17.85% | 8,286 | 6,807 | 1,108 | 371 | 17.85% | 10 | 8 | 2 | 0 | 20.00% |
| 2023 | Jul | 9,491 | 8,039 | 1,090 | 362 | 15.30% | 9,478 | 8,026 | 1,090 | 362 | 15.32% | 13 | 13 | 0 | 0 | 0.00% |
| 2023 | Aug | 10,436 | 8,739 | 1,275 | 422 | 16.26% | 10,170 | 8,533 | 1,215 | 422 | 16.10% | 266 | 206 | 60 | 0 | 22.56% |
| 2023 | Sep | 7,580 | 7,131 | 67 | 382 | 5.92% | 7,546 | 7,119 | 67 | 360 | 5.66% | 34 | 12 | 0 | 22 | 64.71% |
| TOTAL | | 106,138 | 89,671 | 12,585 | 3,882 | 15.51% | 105,336 | 89,038 | 12,438 | 3,860 | 15.47% | 802 | 633 | 147 | 22 | 21.07% |

**We Card's Analysis of FDA Compliance Check Data
FFY 2023 - October 2022 to September 2023**

**SUMMARY
By PRODUCT TYPE**

| Product Type | Warning | | Civil Money | | Grand Total | % of Overall Violation Rate |
|-------------------------|---------------|----------------|--------------|----------------|---------------|-----------------------------|
| | Letter | % | Penalty | % | | |
| Cigar(s) | 5,592 | 45.73% | 1,781 | 46.08% | 7,373 | 45.81% |
| Cigarette tobacco | 6 | 0.05% | 0 | 0.00% | 6 | 0.04% |
| Cigarettes in a package | 2,780 | 22.73% | 813 | 21.03% | 3,593 | 22.33% |
| ENDS / E-liquid | 3,275 | 26.78% | 1,166 | 30.17% | 4,441 | 27.60% |
| N/A | 400 | 3.27% | 42 | 1.09% | 442 | 2.75% |
| Single cigarette | 30 | 0.25% | 8 | 0.21% | 38 | 0.24% |
| Smokeless tobacco | 145 | 1.19% | 55 | 1.42% | 200 | 1.24% |
| Grand Total | 12,228 | 100.00% | 3,865 | 100.00% | 16,093 | 100.00% |



By PRODUCT TYPE & BRAND

| Product Type | Brand | Warning | | Civil Money | | Grand Total | % of ALL |
|--------------------------------------|--------------|---------------|----------------|--------------|----------------|---------------|----------------|
| | | Letter | % | Penalty | % | | |
| Cigar(s) | Swisher | 2,300 | 41.13% | 851 | 47.78% | 3,151 | 42.74% |
| Cigar(s) | Black & Mild | 1,783 | 31.88% | 481 | 27.01% | 2,264 | 30.71% |
| Cigar(s) | Game | 702 | 12.55% | 228 | 12.80% | 930 | 12.61% |
| Cigar(s) | Other | 493 | 8.82% | 98 | 5.50% | 591 | 8.02% |
| Cigar(s) | White Owl | 312 | 5.58% | 121 | 6.79% | 433 | 5.87% |
| Cigar(s) | Phillies | 2 | 0.04% | 2 | 0.11% | 4 | 0.05% |
| Cigar(s) | | | 0.00% | | 0.00% | 0 | 0.00% |
| Cigar(s) Total | | 5,592 | 100.00% | 1,781 | 100.00% | 7,373 | 45.81% |
| Cigarette tobacco | | 6 | | | | 6 | 0.04% |
| Cigarettes in a package | Marlboro | 1,520 | 54.68% | 379 | 46.62% | 1,899 | 52.85% |
| Cigarettes in a package | Newport | 837 | 30.11% | 277 | 34.07% | 1,114 | 31.00% |
| Cigarettes in a package | Camel | 255 | 9.17% | 94 | 11.56% | 349 | 9.71% |
| Cigarettes in a package | Other | 110 | 3.96% | 43 | 5.29% | 153 | 4.26% |
| Cigarettes in a package | Pall Mall | 24 | 0.86% | 9 | 1.11% | 33 | 0.92% |
| Cigarettes in a package | Kool | 23 | 0.83% | 6 | 0.74% | 29 | 0.81% |
| Cigarettes in a package | Winston | 8 | 0.29% | 2 | 0.25% | 10 | 0.28% |
| Cigarettes in a package | Salem | 3 | 0.11% | 3 | 0.37% | 6 | 0.17% |
| Cigarettes in a package Total | | 2,780 | 100.00% | 813 | 100.00% | 3,593 | 22.33% |
| ENDS / E-liquid | Other | 2,076 | 63.39% | 631 | 54.12% | 2,707 | 60.95% |
| ENDS / E-liquid | Vuse | 590 | 18.02% | 240 | 20.58% | 830 | 18.69% |
| ENDS / E-liquid | JUUL | 512 | 15.63% | 264 | 22.64% | 776 | 17.47% |
| ENDS / E-liquid | blu | 51 | 1.56% | 17 | 1.46% | 68 | 1.53% |
| ENDS / E-liquid | Logic | 29 | 0.89% | 7 | 0.60% | 36 | 0.81% |
| ENDS / E-liquid | NJOY | 17 | 0.52% | 7 | 0.60% | 24 | 0.54% |
| ENDS / E-liquid | | | 0.00% | | 0.00% | 0 | 0.00% |
| ENDS / E-liquid Total | | 3,275 | 100.00% | 1,166 | 100.00% | 4,441 | 27.60% |
| N/A | | 400 | | 42 | | 442 | 2.75% |
| Single cigarette | | 30 | | 8 | | 38 | 0.24% |
| Smokeless tobacco | Grizzly | 67 | 2.05% | 35 | 63.64% | 102 | 2.30% |
| Smokeless tobacco | Copenhagen | 42 | 1.28% | 5 | 9.09% | 47 | 1.06% |
| Smokeless tobacco | Other | 13 | 0.40% | 5 | 9.09% | 18 | 0.41% |
| Smokeless tobacco | Stokers | 9 | 0.27% | | 0.00% | 9 | 0.20% |
| Smokeless tobacco | Longhorn | 5 | 0.15% | 2 | 3.64% | 7 | 0.16% |
| Smokeless tobacco | Skoal | 5 | 0.15% | 7 | 12.73% | 12 | 0.27% |
| Smokeless tobacco | Red Seal | 3 | 0.09% | 1 | 1.82% | 4 | 0.09% |
| Smokeless tobacco | Husky | 1 | 0.03% | | 0.00% | 1 | 0.02% |
| Smokeless tobacco | | | 0.00% | | 0.00% | 0 | 0.00% |
| Smokeless tobacco Total | | 145 | 4.43% | 55 | 100.00% | 200 | 4.50% |
| Grand Total | | 12,228 | | 3,865 | | 16,093 | 100.00% |

Highlights of Oct 2022-September 2023 - FFY2023

106,138 Total Compliance Checks
 89,671 # of Compliance Checks with NO VIOLATIONS

12,585 # of Warning Letters (WL)
3,882 # of Civil Money Penalties (CMP)

16,467 Total of WL and CMP

15.51% Calculated Violation Rate

- Violations of CIGAR products sold to minors represent 46% of all violations.
- Violations of CIGARETTES IN A PACKAGE products sold to minors represent more than 22% of all violations.
- Violations of ENDS / E-liquid products sold to minors represent less than 28% of all violations
- Violations of SMOKELESS TOBACCO products sold to minors represent less than 1% of all violations
- Violations of SINGLE CIGARETTE products (LOOSIES) represent 0.24% of all violations

Important Unknowns about the publicly available FDA enforcement Data

- An Important 'unknown' are the Products and Brands associated with the 89,671 compliance checks with NO VIOLATIONS. In other words, the data is not available, and therefore, we don't know if one product type or another (or brand) is associated with higher or lower NO VIOLATIONS.
- FDA has indicated (in We Card's Sept 20, 2018 meeting with FDA CTP Director and CTP staff), that it is left up to the States (who sub-contract with FDA to perform the compliance checks) to decide what Products and which Brands are requested by the minors involved in the compliance checks. Therefore, the Products and Brands requested by minors may vary widely amongst the states. We Card is aware that some states specify to the minors what products and brands to attempt to purchase and others do not.