



**State of Arkansas
Department of Finance
and Administration**

**REGULATORY DIVISION -
ARKANSAS TOBACCO CONTROL**
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**BOARD MEETING MINUTES
December 11, 2025**

The Arkansas Tobacco Control Board met on Thursday, December 11, 2025, for its monthly meeting at 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, Dr. Patricia Knott, Mr. David Hendrix, Jr., Mr. Brent Summerhill, Mr. Kerry Lott, Mr. Brandon McKinney, and Dr. Mark Wren attended virtually.

CALL TO ORDER.

- Chairman Gary Proffitt called the ATC Board meeting to order and opened the meeting welcoming guests and staff. For the scheduled hearing, Charlie Moulton served as the hearing officer and David Edwards served as the court reporter.

BOARD MEETING MINUTES

- Chairman Gary Proffitt requested a motion to approve the minutes from the November 06, 2025, meeting of the Board. A motion was made by Mr. Kerry Lott and seconded by Mr. Brent Summerhill to approve the November 06, 2025, minutes. It passed with seven (7) yes votes and zero (0) opposing votes.

FULL HEARING

- ❖ Case No. 2025-05707
RISING STARS INVESTMENTS, LLC. dba TURRELL MINISTOP - Permit No. 10707-03
NOORUDDIN JALAL
16251 HIGHWAY 77
TURRELL, ARKANSAS 72384

(1) Violations: (1) No server awareness form on file for an employee selling tobacco products (Second Offense) - Ark. Code Ann. § 26-57-213(c)(4) and 26 CAR § 200-401

- In light of the evidence and testimony submitted before the Board, a motion was made by Mr. Brent Summerhill and was seconded by Mr. Kerry Lott. The Board finds that

the Petitioner is in violation of A.C.A. § 26-57-213(c)(4) and 26 CAR § 200-401 and imposes a civil penalty in the amount of \$ 100.00. The motion passed with seven (7) yes votes and zero (0) opposing votes.

WHOLESALE PERMIT APPLICATIONS

Chairman Proffitt presented two (2) new wholesale permit application to the Board for approval.

❖ **ALPHA BRANDS, LLC. - BRISTOL, TN**

❖ **SILVERBACK DISTRO, LLC. - PHARR, TX**

- A motion was made by Mr. Brent Summerhill to pull the application for **Alpha Brands, LLC.** pending the submission of the most current application form. The motion was seconded by Mr. Kerry Lott. The motion passed with seven (7) yes votes and zero (0) opposing votes.
- A motion was made by Mr. Brent Summerhill to approve the application for **Silverback Distro, LLC.** and seconded by Mr. Brandon McKinney. The motion passed with seven (7) yes votes and zero (0) opposing votes.

NEW RETAIL PERMITS ISSUED

- Assistant Regulatory Administrator Katie Hinojosa requested that the Board review and approve the list of seventeen (17) new permits (those permits other than wholesale permits) issued from November 1, 2025, through November 30, 2025.
- A motion was made to accept and approve the list of seventeen (17) new permits issued by Mr. David Hendrix, Jr. and seconded by Mr. Brandon McKinney. The motion passed with seven (7) yes votes and zero (0) opposing votes.

ACCEPTED OFFERS OF SETTLEMENT

- Assistant Regulatory Administrator Katie Hinojosa requested that the Board review and approve the list of accepted offers of settlement for the month of November 2025. A motion was made to accept the accepted offers of settlement by Mr. David Hendrix, Jr. and seconded by Mr. Brandon McKinney. The motion passed with seven (7) yes votes and zero (0) opposing votes.

ADMINISTRATION ACTIVITY

- Assistant Regulatory Administrator Katie Hinojosa informed the Board of the upcoming merchant education trainings. They will take place on December 12, 2025, January 9, 2026, February 13, 2026, and March 13, 2026, in Little Rock at the 1509 Building, and on March 20, 2026, at the Civic Center in Forrest City.

ENFORCEMENT ACTIVITY

- CID Supervisor Chris Crary reported for following results for sale to minor compliance checks.

September - 29 / 454 = 6.39 %

October - 29 / 503 = 5.80 %

November - 31 / 379 = 8.18 %

Results of inspections for the month of November 2025: 81 inspections revealed that 26 stores had 39 violations for a 32.10 % violation rate.

FDA ACTIVITY

- FDA Supervisor Jody Dotson reported that for the month of November 2025, FDA Agents completed 266 routine inspections with 13 potential violations resulting in a 4.89 % violation rate. FDA Agents completed 46 follow-up Inspections with 3 potential violations resulting in an 6.52 % violation rate for the month of November 2025.

LEGAL UPDATE

- ATC Attorney Cameron Coker and Assistant Regulatory Administrator Katie Hinojosa updated the Board on the promulgation process status for new rules on consumable hemp and the vapor product and e-liquid product directory. Hope to have a draft of the proposed consumable hemp rules to the Board in the next few months.
- ATC Attorney Cameron Coker updated the Board and took questions regarding the ongoing enforcement of the vapor and e-liquid product directory.
- ATC Attorney Cameron Coker and Assistant Regulatory Administrator Katie Hinojosa took questions from the Board concerning the Director's Memorandum dated December 10, 2025, in regard to the ZSTICK brand family of products listed on the vapor and e-liquid product directory. The Board will revisit the matter at its next meeting on January 8, 2026.

OPEN FORUM

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

ADJOURNMENT

- In closing, Chairman Proffitt stated that the next Board meeting is scheduled for January 08, 2026. A motion was made by Mr. David Hendrix, Jr. and seconded by Mr. Brent Summerhill to adjourn. It was approved with seven (7) yes votes and zero (0) opposing votes. The meeting was adjourned.

Minutes prepared by:

Sharee Felts

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Dated: December 11, 2025.