



August 16, 2022

Council President Amy Brendmoen and members of the City Council:

**We are writing to support the DSI recommendation of an adverse action against the cigarette/tobacco license for Tom and Joe's Market, 684 Western Avenue. This is a follow up of our April, 2022 letter.**

This matter is again before the council following the Administrative Law Judge recommendation by Barbara J. Case. ALJ Case recommended that the revocation of the cigarette/tobacco license for Tom and Joe's Market be affirmed. We are pleased by that recommendation and support it. The Saint Paul ordinance related to the sale of flavored tobacco is clear and this ordinance is obeyed by the vast majority of Saint Paul tobacco vendors. Recently ANSR staff and partners visited 147 of Saint Paul's tobacco license holders and observed good compliance with Saint Paul's tobacco regulations. To ignore the misdeeds of this license holder is a slap in the face of the many of vendors who uphold the law. This vendor is choosing profits over both health and the regulations the council has enacted. And they are doing it in a dramatic way.

Tom and Joe's violations are not simple mistakes. The license holder stocked vast amounts of flavored tobacco products and hid them to avoid detection.

Ignorance of the law cannot be claimed. ANSR has sent all licensed vendors print materials that inform vendors what products are legal and which are not. These materials are graphic with easy to understand pictures so people with limited English language can easily understand the law's requirements. ANSR offers and promotes free online vendor training so managers and clerks can comply and avoid license violations. The goal is compliance, not catching people doing wrong.

During many public hearings before this body, tobacco vendors express their support for enforcement and express their displeasure with 'bad actors.' Based on this vendor's violation, he is one of those bad actors.

The health of the community deserves to be protected from flagrant violators. We encourage you to impose an upward departure for this vendor.

  
Jeanne Weigum  
ANSR President