



April 13, 2023

Council President Amy Brendmoen, Councilmember Nelsie Yang, and members of the City Council:

We are writing to support the DSI recommendation of an adverse action against the cigarette/tobacco license for KMH Retail LLC DBA Mini Pac, 1184 Maryland Avenue East.

This matter is before the council as DSI has recommended an adverse actions for offering for sale a large amount of flavored tobacco products, and the license holder has admitted to the violations. The Saint Paul ordinance related to the sale of flavored tobacco is clear. 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 the health of the community and the regulations the council has enacted. And, they are doing it in a dramatic way.

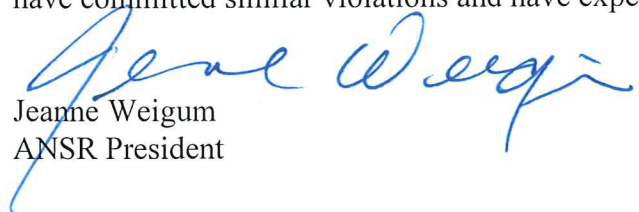
These violations are not simple mistakes. The license holder stocked and offered for sale vast amounts of flavored tobacco products. While a few recent Saint Paul adverse actions have been against vendors who had even more illegal products than this retailer, that is hardly a mitigating factor.

Ignorance of the law cannot be claimed. This is not a new law. It has been in effect for years. In addition to the education provided to vendors by DSI, ANSR 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. Our records do not indicate that this vendor has completed the online training. The goal is compliance, not catching people doing wrong.

During many public hearings before this body, tobacco vendors expressed their support for enforcement and expressed their displeasure with 'bad actors.' Based on this vendor's violation, he is one of those bad actors who the vendor encouraged you to enforce the ordinance with.

The health of the community deserves to be protected from flagrant violators. We encourage you to follow the DSI recommendation for an adverse action against this vendor.

Since he is not faced with losing his license, he will have the opportunity to demonstrate his commitment to complying with the Saint Paul ordinance after he has completed the license suspension. Again, other vendors with similar violation have had their license suspended. To give this vendor special treatment has no justifiable reason and it would be unjust to those vendors who have committed similar violations and have experienced the consequences.



Jeanne Weigum
ANSR President