



CITY OF SAINT PAUL

DSI Licensing
375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

Inspector's Report

Inspectors Name: Joseph Voyda

Date: 17 July 2018

Business/Property Name Walgreens #16476

Property Address: 398 Wabasha

Reason for Visit: Youth Compliance

Observations: Youth purchasing Tobacco product

Photos Taken: Yes, Location of Photo's cashiers checkout counter

No

Action Taken: Citation

Warning

Other: _____

Details of Conversations (Statements to and by Person Responsible for Property): On 17 July 2018 I Joseph Voyda DSI inspector conducted a tobacco youth compliance check of the license tobacco business in the city of Saint Paul. Notice is mailed to all tobacco license holders prior of conducting compliance checks. DSI uses a minor to conduct youth compliance checks throughout the city, we direct the youth to be honest, do not be deceptive or argumentative, beware of their surroundings, and be safe, if they feel uncomfortable, they should leave the premises immediately, they must have valid Minnesota identification card. I provided currency to the minor in an attempt to purchase a tobacco product. Anna Hudak (minor) entered 389 Wabasha at 2:24 p.m., in attempt to purchase a pack of, Newport box cigarettes. The clerk later identified as Joshua Glen Smith, sold the tobacco product to the minor without asking age, however he checked identification to verify the age and sold the product anyway. Anna Hudak is 16 years old.



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Tobacco Youth Compliance Check Purchase Form

20170004001
WALGREENS #16476
398, WABASHA

Business Type:

- Convenience
- Convenience / Gas
- Gas
- Drug Store / Pharmacy
- Tobacco / Smoke Shop
- Supermarket / Grocery
- General Merchant
- Liquor Store / Bar Restaurant
- Other (private club, bowling, etc.)

Date: 7 / 17 / 17 Time: 2 : 24 a.m. p.m.
MM DD YY

Was purchase attempted?

If NO, check reason:

- Yes
- No
- Does not sell tobacco
- Unsatisfactory/unsafe conditions
- Out of business
- Other
- After business hours
- Not applicable

Buyer AMH
Use 3 initials

Age 15
16
17
Sex Female
Male

Adult TAF
Use 3 initials

Did adult or officer view transaction?
 Yes No

Was sale made?
 Yes No

Was age asked?
 Yes No

Was ID requested?
 Yes No

Was ID shown?
 Yes No

Type of purchase:

- Self Service
- Clerk assisted
- Vending machine - Unlocked
- Location of machine _____
- Vending machine - Locked
- Location of machine _____

Type of product:

- Cigarettes Newport
- Smokeless
- Cigars
- Shisha
- E-juice
- Other (cigarette papers, lighter, etc.) _____

Amount spent: \$ 9 . 01

Clerk Information: Female Male Approximate Age: Under 18 Actual age if known 7/22/1998

Name of Clerk: Joshua Glen Smith Address: 1300 Northwest Pkwy #207

Driver's License # or State I. D.#: X704233787511 New Brighton MN 55112

Description / Notes: Caucasian, blonde hair, blue eyes, male, black T shirt
Store Manager on duty not regular
Michelle, informed of violation

Walgreens

#16476 WABASHA ST N 6TH ST W
SAINT PAUL, MN 55101

999 6521 0021 01/11/2018 2:26 PM

NEWPORT KING BOX BOS SB PK
02610000575 9.01
RETURN VALUE 9.01

TOTAL 9.01
CASH 20.00
CHANGE 10.99

THANK YOU FOR SHOPPING AT WALGREENS

DID YOU KNOW THAT YOU CAN EARN POINTS ON THOUSANDS OF ITEMS IN-STORE AND ONLINE? SEE OUR WEEKLY AD FOR MORE INFORMATION. ITEMS CHANGE WEEKLY. RESTRICTIONS APPLY. FOR TERMS AND CONDITIONS, VISIT WALGREENS.COM/BALANCE.

RFN# 1647-6216-5212-1807-1703



How are we doing?
Enter our monthly sweepstakes for
\$3,000 cash

Visit
WWW.WALGREENSLISTENS.COM

or call toll free
1-800-219-7451

within 72 hours to take a short
survey about this Walgreens visit

SURVEY#
1647-6216-521

PASSWORD
2180-7170-326

For contest rules, see store or
WWW.WALGREENSLISTENS.COM

YOUTH COMPL

TOTAL	PANEL	LICENSE #	S #	ADDRESS
16	20140002629	43	7TH W	
16	20170002398	55	5TH E STE 3	
16	11821	85	7TH	
16	12161			
16	2009000			
16	2015000			

Newport



16584	500	7TH E	HOLIDAY
0000036	530	ST PETER	HOLIDAY
0001795	542	ROBERT N	MN FOOD & TO D/T BP

E

Walgreens

#16476 WABASHA ST N 6TH ST W
SAINT PAUL, MN 55101

999 6521 0021 07/17/2018 2:26 PM

NEWPORT KING BOX 80S SB PK
02610000575 9.01
RETURN VALUE 9.01

TOTAL 9.01
CASH 20.00
CHANGE 10.99

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Tobacco Sale of Clerk to a Minor

As it appears on Identification Card

Name of clerk: Joshua Glen Smith

Address: 1300 Northwest PKWY #207

City: New Brighton State: MN Zip Code: 55112 DOB: 7-22-1998

Sex: **Male** / Female Eye Color: Blue Height: 5-11 Weight: 180

Issued Date: 01-2018 Expiration date: 7-22-2010

Identification Number: X704233787511

16	20160002087	381	MINNESOTA	510 SIF 175	BLINK BONNIE
16	20120003366	385	7TH E		D/T SMOKE SHOP
16	20170004001	385	7TH E		BEST OF TIMES
16	2016000	398	WARA		EAS

MINNESOTA

DRIVER'S LICENSE

JOSHUA GLEN SHERRILL SHERMAN
 1200 NORTHWEST CORNER
 NEW BRIGHTON, MN 55120

Date of birth: 07-11-1980
 Sex: M
 Height: 5-11
 Weight: 160
 Eyes: BRN

EXPIRES 01-2018

X704233787511

AVON / PRICE

IPS



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Sec. 324.07. - Sales prohibited

(c) No person shall sell tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products from vending machines unless the vending machines are in a facility that cannot be entered at any time by persons younger than eighteen (18) years of age

(d) No person shall offer for sale tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products in any open displays which are accessible to the public without the intervention of a store employee. This restriction shall not apply to retail stores which derive at least ninety (90) percent of their revenue from tobacco and tobacco-related devices, and where the retailer ensures that no person younger than eighteen (18) years of age is present, or permitted to enter, at any time.

(f) No person shall sell, offer for sale, or otherwise distribute any flavored products. This restriction shall not apply to retail stores that derive at least ninety (90) percent of their revenue from the sale of tobacco products, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products and where the retailer ensures that no person under eighteen (18) years of age is permitted to enter, at any time.

(g) Sale to minors prohibited.

(1) Whoever sells or furnishes tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products to a person under the age of eighteen (18) years is guilty of a misdemeanor for the first violation. Whoever violates this section a subsequent time within five (5) years of a previous conviction is guilty of a gross misdemeanor.

(2) It is an affirmative defense to a charge under this subdivision if the defendant proves by a preponderance of the evidence that the defendant reasonably and in good faith relied on proof of age as described in Minn. Stat. § 340A.503, subd. 6.

(1) Notwithstanding section (g), individuals exempted under Minn. Stat. § 609.685 are also exempt from this section.

(2) The penalties in this section do not apply to a person under the age of eighteen (18) years who purchases or attempts to purchase tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia products while under the direct supervision of a responsible adult for training, education, research, or enforcement purposes.

(i) Any violation of this chapter shall subject the licensee to provisions of chapter 310 and section 324.11 of the Saint Paul Legislative Code.

Sec. 324.09. - Use of false identification by minors prohibited.

No person under the age of eighteen (18) years shall purchase tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products using a driver's license, a Minnesota identification card, or other form of identification which is false, fictitious, altered or counterfeited as to age or any other material fact of identification. Use of false identification to purchase tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products is a misdemeanor.