



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: 19 April 2018

Business/Property Name: Super Day

Property Address: 2525 7<sup>th</sup> Street West

Reason for Visit: Menthol Education and Price / Flavor Inspection

Observations: Multiple Flavors and Cigar Price issues. Backwoods 5 pack cigars sold for \$9.70. Sheesha = flavor Apple. Flavor 5 pack cigars honey berry, honey Bourbon, Russian cream, Honey. Single cigars Honey berry, honey bourbon all these are Backwoods products. Wraps Mango Pineapple, and California Dream, Twisted brand. Herbal Cones = coco bean, Chamomile, Wraps = Pink, OG Kush.

Photos Taken:  Yes, Location of Photo's Behind the counter

No

Action Taken:  Citation

Warning

Other: \_\_\_\_\_

Details of Conversations (Statements to and by Person Responsible for Property): Upon arrival for Menthol Education / Inspection compliance with Barry Brown, We introduced ourselves, as DSI and spoke to the clerk Ram Musti. After the education / Inspection we told Ram Musti that there were multiple violations, and the products must be taken down.



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### Tobacco Compliance Education Form

20120002244  
SUPER DAY  
2525, 7TH W

For Office Use Only	
Compliance Check I.D.#	_____
Business I.D. #	_____
Pre Ordinance	_____
Post Ordinance	_____

#### 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: 4 / 19 / 18   
Time: 10 : 01 a.m. / p.m.

MM                  DD                  YY

Inspector: BARRY BROWN / JOSEPH VOYDA

#### Reason no inspection was conducted:

- Does not sell tobacco   
 Unsatisfactory/unsafe conditions   
 Out of business  
 After business hours   
 Other \_\_\_\_\_

Cigar prices:   
Single \$2.60   
Double N/A   
Triple \$7.80   
Quadruple N/A   
5 PACK \$9.70   
\$10.40

Educational packet was left at the business? Yes or No   
Menthol, mint & wintergreen flavored products on premises? Yes or No   
Flavored tobacco issues present during inspection? Yes or No (if Yes, list below)  
Were pictures taken of flavored items/issues? Yes or No   
70% or more of windows covered or blocked. Yes or No   
Were picture of window violations taken? Yes or No

Name of Owner or Clerk: RAM MUSTI (CLERK)

Notes / Issues: PRICE ISSUE + FLAVORED TOBACCO  
BACKWOODS CIGARS SOLD FOR \$9.70 5 PACK CIGARS /  
WHEN SINGLE CIGARS WERE RANG UP, REGISTER READ \$9.70 RECEIVED  
COMPLAINTS ON .99 SALES, FLAVORED PRODUCTS MULTIPLE ISSUES  
AT TIME OF INSPECTION / SHEESHA, WRAPS, CIGARS.  
SHEESHA FLAVORS = APPLE / WRAPS = PINEAPPLE, CALIFORNIA BLEND, /  
CIGARS = HONEY BERRY, HONEY, RUSSIAN CREAM, HONEY BOURBON, PINEAPPLE  
? ~~HERBAL~~ HERBAL CONES, COCO BEAN, CHAMOMILE, PINK

**STAMP - Activity Detail**[New Search](#)[Help using this report](#)**2525 7th St W - Oasis Markets**Click [here](#) to view all activity for this propertyClick [here](#) to access other applications using this address - GISmo, MapIT, and Ramsey County Info

**Run Date:** 06/11/18 06:28 PM      **In Date:** 06/08/18      **Status:** Resolved  
**Folder** 18 071323      **Entered By:** Harrington,      **Closed:** 06/11/18  
**ID#:**      Stephanie  
**Type:** CS - CSO Complaint - License - Complaint

**Description:**

Selling illegal tobacco cigars. Clerk reportedly reached under counter to get them and added the cost up on paper rather than register. \*\*See Documents Tab\*\*

**Comment:**

06/11/2018 : License Printed: 06/11/2018

**Document:**

[Batch PDF: Complaint Document](#) - Generated: 06/11/2018 - Sent: 06/11/2018

[CE Attached document: Written Complaint](#) - Sent: 06/08/2018

\* Note: Clicking on above document links may not reflect the exact formatting of the original document.

**People:**

Owner:  
Spisc Lic  
5320 W 23rd St Ste 205  
St Louis Park MN 55416-1667

Responsible Party:  
Spisc Lic  
2227 University Ave W  
Saint Paul MN 55114-1677

**Info Value:**

Behavior Complaint: No  
Possible Student Housing?: No

Ward: 3  
District Council: 15  
See Click Fix: No

**DSI CS Complaint Admin**

**Assigned To:** CSO Complaint Analyst Pool 651-266-8989

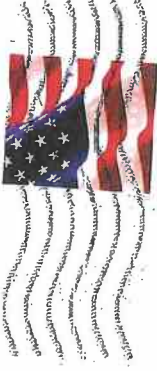
Closed on: 06/11/18

**DSI Licensing Response**

**Assigned To:** Ferrara, Tom 651-266-9087

06/11/2018: Under Review - See License Group Comment  
06/06/2018 letter received in DSI alleging flavor tobacco sale made at address; product reported to be under the counter and total added on paper instead of cash register; see AMANDA folder 18 071323; already planning to pursue adverse action against license for same violation observed during 4-19-18 inspection. TPF

06/11/2018: Closed with Comments - Licensing Manager approved pursuing adverse action for cigar pricing and flavored tobacco violations observed at address during 4/19/18 inspection.



SAINT PAUL, MN 55101

05 JUN 2018 PM 2:1

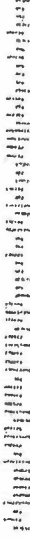
RECEIVED IN D.S.I.

JUN 06 2018

*Licensing  
375 Jackson St  
Suite 220*

*St. Paul, mn. 55101-1806*

55101-180670



I'm writing this letter to you because I'm confused about a couple of things. First, I was in the Clark Super Day gas station/convenient store at Davern and W. 7th St. to buy a small cigar. I asked the clerk if he had flavored cigars and he reached under the counter and showed me flavored cigars. So I bought two of them. I got a couple other things and instead of ringing them up on the register he added it up on paper and told me the total. I paid him and left the store. I found it unusual that he did not bring them up.

About two weeks later I stopped to get gas and cigars at the Super America station on W. 7th St. and asked the clerk what flavored cigars he had and he told me that flavored cigars are illegal to sell in St. Paul.

*Prue Shopper*

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6/11/18 5:01AM

Complaints Worksheet - Ferrara, Tom

Complaint ID#: 18 071323

PIN: 212823140001

Status: Open

In Date: 06/08/2018

Ward: 3

Zoning: B2

Sub: License

Dist Council: 15

Owner:

Entered By: Harrington, Stephanie

Complaint Location:

Census Tract: 37602

Spsc Llc

2525 7TH ST W

Census Block: 3004

5320 W 23rd St Ste 205 St Louis Park MN 55416- 1667

Homesteader:

Tax Owner:

Legal Desc: Section 21 Town 28 Range 23 Ex Widened 7th St Beg At Intersection Of Original Nwly L Of 7th St With E L Of Davern St Th N 150 Ft Th Nely Par With 7th St 185 Ft Th S 150 Ft Th Swly 185 Ft To Beg Being In E 1/2 Of Ne 1/4 Of Sec 21 Tn 28 Rn 23

Complainant:

Details: Selling illegal tobacco cigars. Clerk reportedly reached under counter to get them and added the cost up on paper rather than register. \*\*See Documents Tab\*\*

Prob Prop

Other Depts:

DSI Licensing Response - Scheduled Date: 06/08/18

Comment:

Previous Results

Entered By

Comment

Inspector: Please circle inspection result and write comments below:

Resolved- Closed

Under Review

Unfounded

Transfer to Checklist Dept: Add Checklist Depts

Initial: \_\_\_\_\_

Date: \_\_\_\_\_

Comments:

6/11 J V on 18 calls complaints

Close w/ comment  
pursuing adverse action  
per 4/19/18 inspection





**SURGEON GENERAL WARNING:** Quitting Now Greatly Reduces Serious Risks to Your Smoking. © 2004 Backwoods Cigars, Inc.

**BACKWOODS**

\$  
**5 PACK**

**SURGEON GENERAL WARNING:** Quitting Now Greatly Reduces Serious Risks to Your Smoking. © 2004 Backwoods Cigars, Inc.

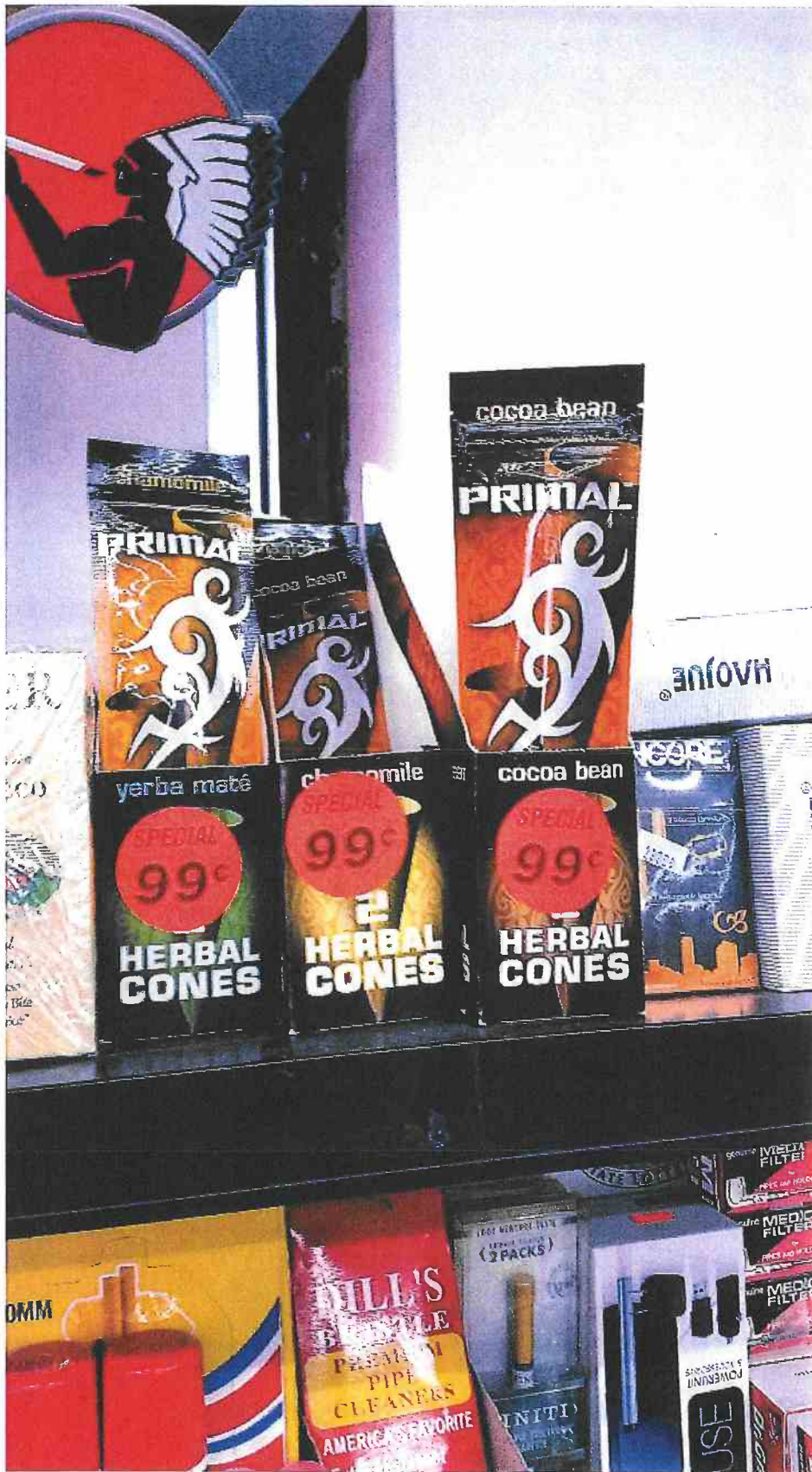
**SURGEON GENERAL WARNING:** Quitting Now Greatly Reduces Serious Risks to Your Smoking. © 2004 Backwoods Cigars, Inc.

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**BACKWOODS**







99¢

LAL FAKHER

LAL FAKHER  
LAL FAKHER  
LAL FAKHER

# ountain Drinks





CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

February 23, 2016

Dear Cigarette/Tobacco License Holder,

Minnesota state law requires the City of St. Paul Department of Safety and Inspections (DSI) to conduct compliance checks on all establishments that sell tobacco products.

Compliance checks include the attempted purchase of tobacco products by a trained person under the age of eighteen (18) years old while a DSI Inspector remains nearby. If asked for proof of age, the underage person will provide the sales clerk their valid Minnesota state photo identification card. No other materials or information will be provided in attempt to further facilitate the sale. **Any clerk found selling tobacco products to an underage person will be issued a \$50.00 fine and the licensed establishment subject to applicable adverse licensing action.**

Compliance checks may also include inspection of the following (see enclosures for further details).

- Temporary signs posted on the establishment may not cover more than 30% of the window space between four (4) feet and seven (7) feet above grade and may not block views into the cashier area
- All electronic delivery device liquid (e-juice) must be sold in child-proof packaging
- Single cigars and/or cigars in original packages of three (3) or less must sell at a retail price of not less than \$2.60 per cigar before sales tax
- Cigars in original packages of four (4) or more must sell at a retail price of \$10.40 or greater before sales tax
- Effective April 13, 2016 the sale of all flavored tobacco-related products (except menthol, mint and wintergreen) will be restricted to tobacco products shops as defined in St. Paul legislative code 65.535. Sale of flavored products by establishments other than tobacco products shops, **regardless of manufacturer claim, packaging or description**, will result in adverse licensing action.

Please take the appropriate measures necessary to ensure you and your employees understand all federal, state and local laws and regulations regarding the sale of tobacco-related products. Questions regarding this letter may be directed to DSI Inspector Barry Brown at 651-266-9143 or [barry.brown@ci.stpaul.mn.us](mailto:barry.brown@ci.stpaul.mn.us).

Your cooperation in protecting and promoting public health and safety in the City of Saint Paul is much appreciated.

Eric Hudak  
Licensing Manager

Enclosures (2)



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## City of Saint Paul CIGAR PRICING REGULATION

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### Chapter 324 of the Saint Paul Legislative Code

#### Section 324.07 (e). Sales prohibited.

No person shall sell, offer for sale, or otherwise distribute cigars in original packages containing three (3) or fewer cigars for a sale price, after any coupons, multipack or buy-one-get-one promotions, or any other discounts are applied and prior to applicable sales taxes being imposed, of less than two dollars and sixty cents (\$2.60) per cigar contained within. In addition, no person shall sell, offer for sale, or otherwise distribute cigars in original packages of four (4) or more cigars for a sale price, after any coupons, multipack or buy-one-get-one promotions, or any other discounts are applied and prior to applicable sales taxes being imposed, of less than ten dollars and forty cents (\$10.40) per package.

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#### Section 324.07 (f). Sales prohibited.

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.

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#### Cigar Pricing Examples

You may sell packages of three or less ONLY if they are priced as follows:

A single cigar must be sold in its original packaging for a minimum of **\$2.60** before sales tax.

Two cigars in a package must retail for at least of **\$5.20** before sales tax.

Three cigars in a package must retail for at least of **\$7.80** before sales tax.

You may sell packages of four or more ONLY if they are priced as follows:

Four or more cigars in a package must retail for at least of **\$10.40** before sales tax.



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**City of Saint Paul**  
**E - JUICE PACKAGING REGULATION**

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The State of Minnesota now requires that all liquid sold for use in an electronic delivery device must be in child-resistant packaging (MINN.STAT. § 461.20 (2014)). Child-resistant packaging is required whether or not the e-juice contains nicotine. Retailers should be prepared to provide documentation of child-resistant packaging when requested by a DSI Licensing Inspector present at their site. This documentation, called a full protocol testing laboratory report, should be provided to you by your manufacturer or supplier.

The United States Consumer Products Safety Commission (CPSC) Guide to Child Resistant and Senior-Friendly Packages provides an overview of child-resistant packaging, the different types that are available, as well as a list of companies that manufacture and test child-resistant packaging (<http://www.cpsc.gov/en/Regulations-Laws--Standards/Statutes/Poison-Prevention-Packaging-Act/Child-Resistant-and-Senior-Friendly-Packages-packaging-guide/>).

Cigarette/Tobacco Licensees that fail to comply with this requirement will be subject adverse action.

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**2014 MINNESOTA STATUTE**

**461.20 Sale of Electronic Delivery Device; Packaging.**

(a) For purposes of this section, "child-resistant packaging" is defined as set forth in Code of Federal Regulations, title 16, section 1700.15 (b)(1), as in effect on January 1, 2015, when tested in accordance with the method described in Code of Federal Regulations, title 16, section 1700.20, as in effect on January 1, 2015.

(b) The sale of any liquid, whether or not such liquid contains nicotine, that is intended for human consumption and use in an electronic delivery device, as defined in section 609.685, subdivision 1, that is not contained in packaging that is child-resistant, is prohibited. All licensees under this chapter must ensure that any liquid intended for human consumption and use in an electronic delivery device is sold in child-resistant packaging.

(c) A licensee that fails to comply with this section is subject to administrative penalties under section 461.12, subdivision 2.

NOTE: This section, as added by Laws 2014, chapter 291, article 6, section 31, is effective January 1, 2015.



**CITY OF SAINT PAUL**  
 DEPARTMENT OF SAFETY AND INSPECTIONS  
 375 Jackson Street, Suite 220  
 Saint Paul, Minnesota 55101  
 Phone: 651-266-8989  
 Fax: 651-266-9124  
 Web: www.stpaul.gov/dsi

## Guide for Complying with Saint Paul Tobacco Ordinance Chapter 324

*Information about the ordinance, flavored tobacco products and cigar pricing requirements*

As of April 13, 2016, Saint Paul prohibits the sale of flavored tobacco products, except for menthol, mint or wintergreen products, in stores with a tobacco license where minors can enter such as gas stations, corner stores, and grocery stores. Tobacco products shops (shops which make at least 90 percent of their revenue from tobacco and do not allow access to anyone under the age of 18) are exempted from the flavor restriction. Below are examples of flavored products that can only be sold in tobacco products shops, and similar non-flavored tobacco products that are allowed to be sold by all licensed tobacco vendors. Saint Paul also requires a minimum price for cigar products, which is described below.

### NOT ALLOWED ✗

*Examples of flavored tobacco products that are NOT allowed to be sold in Saint Paul, except in tobacco shops.*

### ALLOWED ✓

*Examples of similar tobacco products that are "non-flavored" and ARE allowed to be sold in Saint Paul by all licensed tobacco vendors.*

### Cigars



**Examples: "Strawberry", "Sweet Razz", "Raspberry Cream", "Peach", "Mango", "Grape", "White Grape" and "Wine" cigars and cigarillos**

*Explanation: "Strawberry", "Sweet Razz", "Raspberry Cream", "Peach", "Mango", "Grape" and "White Grape" are fruit flavors; "Wine" is an alcoholic beverage flavor. These products are NOT allowed by ordinance.*



**Examples: Dutch Masters Palma, Swisher "Diamonds", White Owl "Black", and Black & Mild cigars and cigarillos**

*Explanation: tobacco products that are not flavored are allowed by ordinance.*

## NOT ALLOWED



Examples of flavored tobacco products that are NOT allowed to be sold in Saint Paul, except in tobacco shops.

## ALLOWED



Examples of similar tobacco products that are "non-flavored" and ARE allowed to be sold in Saint Paul by all licensed tobacco vendors.

### E-cigarettes and E-juice



Examples: EZ Cig "Licorice", blu "Cherry Crush" and Shisha Time "Blueberry" e-cigarettes; Haus by Mystic "Berry" e-liquid

Explanation: "Licorice" is a candy flavor and "Cherry Crush", "Blueberry" and "Berry" are fruit flavors. These products are NOT allowed by ordinance.



Vuse "Menthol", NJOY and blu e-cigarettes; Hells Vapors "Menthol" e-liquid

Explanation: "Menthol" is a flavor allowed by ordinance; tobacco products that are not flavored are allowed by ordinance.

### Smokeless Tobacco and Pouches



Examples: Skoal Pouches "Berry Blend" and Skoal "Berry"

Explanation: "Berry Blend" and "Berry" are fruit flavors. These products are NOT allowed by ordinance.



Copenhagen "Wintergreen" and Camel Snus "Mint"

Explanation: "Wintergreen" and "Mint" are flavors allowed by ordinance.



## NOT ALLOWED



Examples of flavored tobacco products that are NOT allowed to be sold in Saint Paul, except in tobacco shops.

## ALLOWED



Examples of similar tobacco products that are "non-flavored" and ARE allowed to be sold in Saint Paul by all licensed tobacco vendors.

### Shisha



Examples: Al Fakher "Pineapple", Starbuzz "Apple Martini" or Fantasia "Bubble Gum" shisha

Explanation: "Pineapple" is a fruit flavor, "Apple Martini" is an alcoholic beverage flavor and "Bubble Gum" is a candy flavor. These products are NOT allowed by ordinance.



Example: Al Fakher "Mint" shisha

Explanation: "Mint" is a flavor allowed by ordinance.

### Cigar wraps/blunt wraps



Example: Hood Wraps "Da Bomb Blueberry" cigar wraps

Explanation: "Da Bomb Blueberry" is a fruit flavor. This product is NOT allowed by ordinance.



Example: Zig Zag "Straight Up" cigar wraps

Explanation: "Straight Up" is not a flavor. Products that are not flavored are allowed by ordinance.



**CITY OF SAINT PAUL**  
**DEPARTMENT OF SAFETY AND INSPECTIONS**

## About

Recently, the Saint Paul City Council voted to change the way that tobacco is sold in our city. The tobacco ordinance was changed to:

1. Set a minimum price of \$2.60 per unit up to 4 units for cigar products after coupons and discounts have been applied. This means that all cigar products must be priced as follows:
  - 1 single cigar = at least \$2.60 + sales tax
  - 2-pack or "double" pack = at least \$5.20 + sales tax
  - 3-pack of cigars = at least \$7.80 + sales tax
  - 4 pack of cigars = at least \$10.40 + sales tax
  - Pack of 5 or more cigars = at least \$10.40 + sales tax
2. Limit the sale of flavored tobacco products (except for menthol, mint or wintergreen ) to adult-only tobacco-only stores.
3. Require tobacco-only stores to prohibit entry to people under 18 years of age.

These changes take effect on April 13, 2016.

For more information, please contact Inspector Barry Brown at [barry.brown@ci.stpaul.mn.us](mailto:barry.brown@ci.stpaul.mn.us) or 651-266-9143.

## Frequently Asked Questions

### Which cigars must follow this pricing structure?

All cigar products such as little cigars and cigarillos must be priced at \$2.60 each plus sales tax. A pack of four or more cigars must be sold for at least \$10.40 plus sales tax.

### What tobacco products are included in the flavor restriction?

All forms of tobacco are included in the flavor restriction: e-cigarettes, e-cigarette liquid, cigars, cigarillos, blunt wraps, shisha, and smokeless tobacco. The following is the ordinance language defining each of these products:

*Electronic delivery device* means any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of vapor from the product. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device does not include any product that has been approved or certified by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is marketed and sold for such an approved purpose.

*Nicotine or lobelia delivery product* means any product containing or delivering nicotine or lobelia intended for human consumption, or any part of such a product, that is not a tobacco product or an electronic delivery device, as defined in this section. Nicotine or lobelia delivery product does not include any product that has been approved or otherwise certified for legal sale by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is marketed and sold for such an approved purpose.

*Tobacco or tobacco product* means any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to cigarettes, cigars, little cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco, and other kinds and forms of tobacco. Tobacco products excludes any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

*Tobacco-related devices* means cigarette papers, pipes for smoking, or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.

## Frequently Asked Questions (continued)

### What “flavors” are restricted under this policy?

Any tobacco product that has a taste or smell other than plain tobacco, menthol, mint or wintergreen is restricted under the ordinance and can only be sold in tobacco-only shops.

### How does the ordinance define a flavored product?

*Flavored product* means any tobacco product, tobacco-related device, electronic delivery device, or nicotine or lobelia delivery product that contains a taste or smell, other than the taste or smell of tobacco, menthol, mint, or wintergreen, that is distinguishable by an ordinary consumer either prior to or during the consumption of the tobacco product, electronic delivery device, or nicotine or lobelia delivery product, including, but not limited to, any taste or smell relating to chocolate, cocoa, vanilla, honey, or any candy, dessert, alcoholic beverage, herb, or spice. A public statement or claim, whether express or implied, made or disseminated by the manufacturer of a tobacco product, tobacco-related device, electronic delivery device, or nicotine or lobelia delivery product, or by any person authorized or permitted by the manufacturer to make or disseminate public statements concerning such product or device, that the product or device has or produces a taste or smell other than tobacco, menthol, mint, or wintergreen, shall constitute presumptive evidence that the product or device is a flavored product.

### What if I’m not sure if the product is flavored?

Tobacco products labeled with a flavor other than plain tobacco, menthol, mint, or wintergreen are considered “flavored” under this policy and cannot be sold. Several companies have removed flavor descriptions from their labels. For example, tobacco companies now sell grape-flavored cigars in purple wrappers without using the word “grape”. These products are still considered “flavored” under this policy because they include a flavor (in this case, grape).

In addition to the definition in the ordinance language, this document is intended to help clarify and provide examples of flavored products allowed and not allowed to be sold by tobacco retailers. If after reading the ordinance language, reviewing this document, and reading the product label you are still unsure if the product is flavored- the City recommends not selling the item. The City will also compile a list of example products; however, with new flavors and products continually entering the market, the list cannot be considered exhaustive. The burden is on the retailer to prove a product is not flavored- therefore we recommend not selling any products you are unsure about.

### What if the product contains mint and another flavor, for example, *Mint Chocolate Chip*?

If the product contains multiple characterizing flavors, one being mint and another being a restricted flavor, then it is considered a flavored product that cannot be sold by regular tobacco vendors and can only be sold in tobacco-only shops.

### When does this go into effect?

These changes go into effect April 13, 2016. Inspectors will begin checking and enforcing the ordinance after this date.

### What are the penalties?

Violation of this ordinance will be treated the same as other tobacco license violations.

*First violation*—Two hundred dollar (\$200.00) fine.

*Second violation*—Four hundred dollar (\$400.00) fine.

*Third violation*—Eight hundred dollar (\$800.00) fine and a 7 day suspension of the license.

*Fourth violation*—Revocation of the tobacco license.

### Who can I contact for more information?

For more information, please contact Inspector Barry Brown at [barry.brown@ci.stpaul.mn.us](mailto:barry.brown@ci.stpaul.mn.us) or 651-266-9087, Inspector Tom Ferrara at [Tom.Ferrara@ci.stpaul.mn.us](mailto:Tom.Ferrara@ci.stpaul.mn.us) or 651-266-9087, or License Manager Eric Hudak at [Eric.Hudak@ci.stpaul.mn.us](mailto:Eric.Hudak@ci.stpaul.mn.us) or 651-266-9132.

# SAINT PAUL'S NEW CIGAR PRICING REQUIREMENT

As of April 13, 2016, if you sell non-premium cigars in Saint Paul, they must be sold at the following prices:



1 Cigar for at least

**\$2.60**  
+sales tax



A Pack of  
2 Cigars for at least

**\$5.20**  
+sales tax



A Pack of  
3 Cigars for at least

**\$7.80**  
+sales tax



A pack of 4 or more  
cigars for at least

**\$10.40**  
+sales tax

## General reminders about the sale of tobacco:

- Stores must be licensed as a tobacco vendor to sell tobacco products, including electronic cigarettes.
- Tobacco products with flavors other than mint, menthol or wintergreen can only be sold in adult-only tobacco shops (at least 90 percent of revenue from tobacco sales). Tobacco products include items such as cigars, shisha, blunt wraps, smokeless tobacco, e-cigarettes and e-cigarette liquid.
- Stores must keep all tobacco products behind the counter or in a locked cabinet, unless anyone under 18 is prohibited from entering at all times.
- Liquid sold for use in an electronic delivery device must be sold in child-resistant packaging. Stores are required to provide written proof from the manufacturer upon request from the City that packaging is child-resistant.
- Penalties for violating the minimum cigar pricing or flavored product restrictions are the same as other tobacco license-related violations: \$200 for a first violation; \$400 for a second violation; \$800 and license suspension for a third violation; and license revocation for a fourth violation.

Dear Saint Paul Tobacco Vendor,

As of April 13, 2016, flavored tobacco products, excluding menthol, mint and wintergreen, can only be sold in tobacco products shops accessible exclusively by adults, 18 and older. Additionally, non-premium cigars must be sold for a minimum of \$2.60 each plus sales tax. The minimum price of cigars is as follows:

- Single Cigar - \$2.60 + sales tax
- 2 Pack - \$5.20 + sales tax
- 3 Pack - \$7.80 + sales tax
- 4 Pack or larger - \$10.40 + sales tax

This requirement applies regardless of promotional offering, such as buy one get one free. Please use this postcard as a guide for how to price non-premium cigars.

If you have any questions or concerns, please contact the City of Saint Paul Licensing Department: 651-266-8989 or [DSLComplaints@citystpaulmn.us](mailto:DSLComplaints@citystpaulmn.us)

Association for Nonsmokers-Minnesota  
2395 University Avenue West, Suite 310  
Saint Paul, MN 55114

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CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

December 20, 2016

Dear Cigarette/Tobacco License Holder,

The Department of Safety and Inspections (DSI) is required to conduct annual inspections of all Cigarette/Tobacco licensed establishments in Saint Paul to ensure compliance with laws restricting tobacco sales to juveniles – people who are under 18 years old. These standardized inspections involve the attempted purchase of tobacco products by an inspector-trained juvenile and may be repeated throughout the year. Other compliance inspections, in addition to the age restriction inspection, may also take place to ensure compliance with all tobacco regulations.

Results of the 2016 inspections were very favorable as 93% of the establishments tested passed the initial inspection for sale of tobacco to juveniles. This result was an increase from 91% in 2015 and 90% in 2014. We appreciate the continued efforts of Saint Paul licensed tobacco vendors to prevent juvenile access to tobacco.

Please be reminded of the following regulations to ensure compliance and avoid adverse licensing action:

**Cigar Pricing & Flavored Tobacco**

**- Single cigars and/or cigars in original packages of three or less must sell at a retail price of not less than \$2.60 per cigar before sales tax and cigars in original packages of four or more must sell at a retail price of \$10.40 or greater before sales tax.**

**- The sale of all flavored tobacco-related products (except menthol, mint and wintergreen) is restricted to tobacco products shops as defined in St Paul legislative code 65.535.**

**E-Juice Packing**

**- MN State Statute § 461.20, requires child-resistant packaging of any liquid (e-juice) for use in an electronic delivery device (e-cig); effective 2014. (Vendors are strongly encouraged to work with their supplier to verify compliance with e-juice packaging requirements.)**

**Moveable Place of Business**

**- MN State Statute § 461.21, prohibits sales of tobacco, tobacco-related devices, or electronic delivery devices and nicotine or lobelia delivery products from a moveable place of business; effective 2014. (Vendors are prohibited from conducting sales outside of their licensed premises to include festivals and block parties.)**

The City of Saint Paul appreciates your continued cooperation in complying with all federal, state and local laws regulating tobacco and tobacco-related products. Questions regarding this letter may be directed to DSI Inspectors Barry Brown at 651-266-9143, [Barry.Brown@ci.stpaul.mn.us](mailto:Barry.Brown@ci.stpaul.mn.us) or Thomas Ferrara at 651-266-9087, [Tom.Ferrara@ci.stpaul.mn.us](mailto:Tom.Ferrara@ci.stpaul.mn.us).

Respectfully,

Barry Brown  
DSI Inspector 1