

# Saint Paul Tobacco Ordinance, 2021

Saint Paul, MN passes comprehensive tobacco regulation to increase prices, reduce advertising, and reduce commercial tobacco use



The effort leading to the 2021 law began in 2016, when the **Association for Nonsmokers-Minnesota (ANSR)** worked with the Saint Paul City Council to help pass a [law restricting sales of dessert, candy, and fruit-flavored tobacco products](#) to adult-only tobacco shops. The following year, Saint Paul expanded this law to also [restrict the sale of menthol products](#) to adult-only tobacco shops and liquor stores. The partners considered tackling flavored products and price discounts in the same law, but decided to take an incremental approach. After passing the flavor restrictions, community leaders wanted to prioritize raising the commercial tobacco age of sale, and the Saint Paul City

Council passed a [Tobacco 21 law](#) in October 2019. With these laws passed, Saint Paul and ANSR were ready to address pricing.

## Partners help draft a proposal with broad support

Backed by funding from the **Center for Prevention at Blue Cross and Blue Shield of Minnesota**, ANSR was a pivotal partner for the Saint Paul City Council and the City Attorney's office in drafting a new ordinance. ANSR's long history of work in Saint Paul laid the groundwork for planning, passing, and implementing the ordinance. Having worked closely with ANSR director **Jeanne Weigum** on public health policy since she joined the City Council in 2012, **Amy Brendmoen** championed the ordinance. "It doesn't matter how many other priorities I have on my list, Jeanne makes sure that the ANSR stuff stays on top," Brendmoen said.

Before developing the proposal, ANSR interviewed the **Public Health Law Center** and partners who worked on similar laws in Providence, RI, and New York City. Insights from these conversations convinced ANSR that implementing a minimum price for tobacco products was the right approach to take. They learned from Providence partners that a coupon restriction could be hard to enforce. Despite this, ANSR and City Council decided to prohibit coupon redemption for all tobacco products to help address cheap access to e-cigarettes and other products.

ANSR conducted additional interviews to inform their messaging and hired a communications consultant to help create a media campaign, [Don't Discount My Life](#). ANSR worked with the consultant to do a [photo shoot](#) with Saint Paul community members, create a [fact sheet](#), and film a [video](#) promoting the policy.



### What does the ordinance do?

- Prohibits price promotions and the redemption of coupons
- Sets minimum price for cigars, cigarettes, snuff, and snus
- Sets cap on tobacco retail licenses
- Extends menthol restriction to liquor stores
- Increases penalties for selling commercial tobacco to people under age 21
- Adds synthetic nicotine to tobacco product definitions



A photo from the Don't Discount My Life campaign. Source: ANSR

City Council members were enthusiastic about the proposal and wanted to make it more comprehensive by adding other elements, including extending the 2017 menthol sales restriction to liquor stores. ANSR worked hard to ensure the proposal included all the elements Council members wanted and to develop language that everyone agreed upon. ANSR looked to the Public Health Law Center for help drafting language. ANSR also conducted an assessment of tobacco product pricing in Saint Paul at the time and decided to recommend a minimum price of [\\$10 per pack of cigarettes or package of snuff, snus, or smokeless tobacco](#).

## COVID-19 restrictions, local circumstances delay but don't stop passage

ANSR's strategy to pass the proposal was to build as much awareness and get as much community support as possible. Not being able to organize in person due to the COVID-19 pandemic presented significant challenges, but ANSR refused to let the pandemic stop them. ANSR presented over Zoom to a number of Saint Paul's district councils, which serve in an advisory capacity to the City Council. The [Saint Paul Youth Commission](#) delivered letters and presentations on the importance of the policy, and [Minnesotans for a Smoke-Free Generation](#) helped gather letters of support from health advocates and national organizations. ANSR was also able to get support from the [Ramsey County Board of Commissioners](#), which passed a [resolution](#) supporting menthol restrictions in all its jurisdictions, including Saint Paul. ANSR's history of successful tobacco control legislation in the region helped gather broad support from City Council members.

Despite these creative approaches to keep policy progress moving, the pandemic, challenges with homelessness, and civil unrest following [George Floyd's murder](#) all caused delays to the ordinance's passage. ANSR had to acknowledge that entire City departments were being consumed by other issues, and that it was time to step back temporarily from work on the ordinance. After this necessary pause, the City Council passed the law on November 3, 2021, making Saint Paul the **first city in the U.S. to include e-cigarettes in a tobacco price discounting prohibition**.

## After passage, partners focus on retailer education

The period between ordinance passage and implementation was designated as 30 days, but ANSR soon realized it could not send educational materials to retailers within that time. ANSR and the City Council wanted to give as much advance notice as possible to avoid liquor stores being stuck with expensive menthol product inventory. They decided to send a postcard to liquor stores immediately and take more time to develop further education materials. These included a longer notification letter with information on the ordinance, a window cling, and a detailed educational guide that were sent out shortly after the ordinance took effect. "We were not trying to create enemies, we were trying to create partners," said Weigum.

The ordinance is enforced by the Department of Safety and Inspections through the penalty structure in Saint Paul's retailer licensing program. Because the tobacco retailer license cap is now lower than the number of existing tobacco retailers, losing a license due to violations means that retailer loses it forever.

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## Evaluation shows policy success

In the short amount of time between passage and implementation, ANSR conducted an assessment of tobacco retailers, excluding liquor stores (which were already prohibited from taking coupons) and stores closed due to the pandemic. It surveyed 144 locally-owned stores and a sample of eight chain stores to verify whether those stores accepted coupons, had price promotions, or sold tobacco products under \$10.



A gas station sign advertising cigarette discounts before the law took effect.  
Source: Jeanne Weigum



Evaluation data on implementation of St. Paul's minimum price for tobacco products.  
*Adapted from ANSR*

The assessment was completed two days before the law went into effect. Three months after the education materials were sent out, ANSR collected the same data again. Their [evaluation](#) found only two of the local stores sold products below the minimum price, none accepted coupons, and none had price promotions. ANSR compared these Saint Paul stores with stores in Minneapolis and the suburbs around Saint Paul, and found that all the stores in other areas continued to sell products under \$10, accept coupons, and have price promotions. The amount of tobacco advertising in Saint Paul has also dramatically decreased, since those advertisements usually announced price discounts or promotions.

## Saint Paul shares lessons for other cities

While the ordinance has been a success, Weigum wishes they had planned for a three month implementation period instead of 30 days, and that they had set a higher minimum price. She also advises other cities that **combining minimum price with coupon restrictions** is a good way to put some restrictions on e-cigarettes and flavored products if restricting menthol and other flavored products is politically difficult.

Councilwoman Brendmoen highlighted the importance of **learning from one's own and others' experiences**, and **continually working to improve upon previous policies**. ANSR's ability to spearhead the development and promotion of the ordinance was also crucial for Brendmoen, who said, "I truly believe if we didn't have that partnership with ANSR, that it would still be just like, 'oh yeah, we should do that, that's an idea I agree with, but I just don't have the capacity to move it forward.'"

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