Public Health Concerns

**Background**

Minnesota cities and counties require a license to sell tobacco products. There are annual license fees to sell tobacco as well as fines and terms for revocation for license violations. The state of Minnesota requires annual compliance checks for retailers with tobacco licenses.

Local governments can update and strengthen licensing and zoning ordinances that regulate how and where tobacco is sold; these measures can be effective at protecting youth from increased risk of tobacco addiction.

**Public Health Concerns**

**Lack of Compliance Checks.** Despite the state requirement, many cities do not conduct tobacco retailer compliance checks and often cite inadequate funds as the reason. Annual license fees should cover the administration of the license, including compliance checks which hold tobacco retailers accountable for selling an addictive product.

**Retail availability of tobacco matters to communities because it:**

- Correlates with elevated tobacco use in kids and adults, and contributes to health disparities.\(^1,2\) Studies show that youth smoking increases with tobacco retailer density near schools and that stores near schools have more exterior tobacco advertising.\(^3\)
- Increases exposure to tobacco marketing and branding, which is known to increase tobacco use and sabotage quit attempts.\(^4,5\)
- Perpetuates the social norm that tobacco use is common, available and accessible.
- Fuels health disparities because high retailer density is more common in low-income and minority neighborhoods.
Regulatory Options for Communities

Licensing and zoning regulations are strong strategies that impact how and where tobacco is sold.

- Set a license fee that adequately covers the cost administering the license, including the state required annual compliance checks.
- Include or update the fee structure and penalties for license violations, such as selling to minors.
- Reduce the density of tobacco retailers in a community.
  - Limit or restrict the sale of tobacco near youth-oriented facilities like parks, playgrounds or schools.
  - Require a minimum distance between tobacco retailers.
  - Limit the number of tobacco retailers allowed within a community.
    Example: Cap licenses at one retailer per 1,000 residents. Current retailers above the cap can be grandfathered.
- Restrict the type of businesses that can sell tobacco, such as pharmacies.
- Prohibit employees under the age of 18 from handling the sale of tobacco products

The sale of tobacco products – the number one cause of preventable death and disease – is fundamentally inconsistent with the commitment to improving health. Recently, CVS announced its decision to end sales of tobacco products, joining other large corporations, like Target, in making this commitment.

Sources

For more information on local policy options, contact us at: NorthlandMN@lung.org