



ZACH KLEIN

COLUMBUS CITY ATTORNEY

FOR IMMEDIATE RELEASE
Wednesday, April 16, 2025
Contact: Pete Shipley, 614.965.0203
Email: pjshipley@columbus.gov

A Year After City's Tobacco Lawsuit, Columbus Continues to Hold Retailers Accountable for Engaging in Illegal and Underage Sales

City Attorney Zach Klein says new lawsuit against retailer caught engaging in illegal and underage sales demonstrates importance of local enforcement of tobacco regulations to keep drugs out of the hands of children and teens

COLUMBUS, OH— A year after [Columbus joined 20 other Ohio cities](#) to file a lawsuit challenging the state of Ohio's ban on local tobacco regulations, Columbus City Attorney Zach Klein today announced that the Property Action Team filed a lawsuit against a local tobacco retailer caught engaging in illegal and underage sales during compliance checks conducted by Columbus Public Health agents.

City Attorney Klein says that this action would be made nearly impossible should the state's law to prohibit local enforcement of tobacco laws be upheld by the courts. Under that law, local health departments would no longer be able to conduct compliance checks, and instead place that duty solely with law enforcement. That case is pending after a preliminary injunction in Franklin County stopped the law from taking effect last year.

“This lawsuit is the result of the system working as intended—local authorities conducting compliance checks and retailers facing the consequences of breaking the law,” said Columbus City Attorney Zach Klein. **“Efforts to make it harder to keep tobacco out of the hands of teens and overburden law enforcement by requiring them to divert resources to running compliance checks is a bad idea, plain and simple. I am committed to defending the rights of cities to pass and enforce laws that keep our kids healthy and safe.”**

According to documents submitted to Environmental Court this week, the To The Moon tobacco shops located at 8293 Market Exchange Drive near Polaris and 3329 East Broad Street on the east side of Columbus were the subject of multiple community complaints for both illegal and underage sales in recent years. Since October 2023, Columbus Public Health conducted compliance checks that resulted in four separate buys for either underage customers or prohibited flavored tobacco products.

In October 2023, a CPH agent under the age of 21 conducted an underage buy at the Broad Street store, and as a result, the shop was fined \$1,000.

In February 2024, following complaints of flavored tobacco sales at the stores in violation of Columbus City Health Code, CPH conducted a compliance check at the Market Exchange Drive location, at which time a clerk sold the agent a flavored vape. The store was fined \$1,000 for this violation.

In May 2024, a CPH agent again visited the Broad Street location for a compliance check and was sold a flavored tobacco product. As this was the location's second violation within two years, operators were fined \$5,000.

CPH convened an administrative conference with operators in September 2024, warning the owners that a subsequent violation within the two-year period carries a \$10,000 fine and revocation of their tobacco license.

In November 2024, a CPH agent followed up to conduct a compliance check, at which time a clerk sold the agent a flavored tobacco product. Following this failed check, CPH assessed a \$10,000 fine against operators. The fine was upheld in an administrative hearing in January. It remains unpaid to date. Additionally, in February, CPH mailed notice of its intent to revoke the Broad Street store's license.

“We want small businesses to succeed, but not at the expense of the health and safety of our kids. Thanks to Columbus Public Health for their work in running compliance checks and documenting violations so we had the evidence needed to bring a case before the Court to hold these problem operators accountable,” said Property Action Team Attorney Rob Doersam.