

New Tobacco and Nicotine ruling from the FDA



On May 5, 2016, the U.S. Food and Drug Administration (FDA) finalized a rule extending its authority to **ALL** tobacco products, including e-cigarettes, cigars, hookah tobacco and pipe tobacco, among others.

This historic rule helps implement the bipartisan Family Smoking Prevention and Tobacco Control Act of 2009 and allows the FDA to improve public health and protect future generations from the dangers of tobacco use through a variety of steps, including restricting the sale of these tobacco products to minors nationwide.

Before this ruling, there was **NO** federal law prohibiting retailers from selling e-cigarettes, hookah tobacco or cigars to people under age 18. This rule changes that with provisions aimed at restricting youth access, which go into effect in 90 days.

Provisions of the new FDA rule include:

- Not allowing products to be sold to persons under the age of 18 years (both in person and online);
- Requiring age verification by photo ID;
- Not allowing the selling of covered tobacco products in vending machines (unless in an adult-only facility); and
- Not allowing the distribution of free samples.
- (Effective May 2018) Mandatory warning labels that these products contain nicotine, an addictive substance.

New changes and regulations have other aspects related to manufacturers and retailers. For more information, please visit: www.fda.gov/Tobacco