



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
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December, 2019

Dear Tobacco Retailer:

On December 11, 2019, the state's Public Health Council approved a new regulation that restricts the sale of nicotine vaping and flavored vaping and tobacco products. This action follows the Legislature passing and Governor Charlie Baker signing into law An Act Modernizing Tobacco Control, which provided the Massachusetts Department of Public Health with additional authority to regulate access to tobacco and electronic nicotine delivery systems, including vapes. The new regulation is currently in effect.

As a result, there are important new requirements for retail establishments that sell tobacco products, including e-cigarettes. These requirements differ depending on the type of retail establishment, so please read the statute, the regulation, and this information carefully.

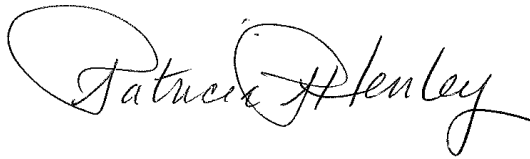
- Information about the new legislation and regulation can be found online here: mass.gov/newtobaccolaw
- A summary of the state legislation and emergency regulation is included with this letter.
- Of particular note, the legislation restricts the sale of all flavored e-cigarettes to Smoking Bars. The legislation also restricts the sale of non-flavored e-cigarettes with higher nicotine contents to adult only tobacco retail establishments or smoking bars.
- The regulation requires that retailers post new signage from the Department of Public Health. Please note these signs are available to download and print from the website dedicated to understanding the new legislation and regulation: mass.gov/newtobaccolaw. The signs will be translated into various languages, designed and printed in the near future. They will then be available to order free of charge from the Massachusetts Health Promotion Clearinghouse at <https://massclearinghouse.ehs.state.ma.us/>
- Other aspects of the emergency regulation include placement of products and restrictions on advertising tobacco products. Again, please see the enclosed summary and the regulation for more information.

- Some aspects of the new legislation are in effect now and others will take effect on June 1, 2020. Those are also noted in the enclosed documents. We will communicate with you as that date approaches to further explain those aspects and their implications for your retail establishment.

If you have questions about the new state law, please contact your local Board of Health. In addition, information is available at mass.gov/newtobaccolaw.

Thank you for your cooperation in complying with this new law and regulations.

Sincerely,

A handwritten signature in black ink that reads "Patricia P. Henley". The signature is written in a cursive style with a large, looping initial "P".

Patricia P. Henley
Director, Massachusetts Tobacco Cessation and Prevention Program
Massachusetts Department of Public Health