

TRUTH SPOTLIGHT

on e-cigarettes and the law

FEDERAL RULES



2016

The Food and Drug Administration (FDA) began considering e-cigarettes a tobacco product and, as such, began prohibiting sales to minors. Specifically, the [FDA Deeming Rule](#) restricts youth access to tobacco products.

2019

On December 20, the President signed legislation raising the federal minimum age for sale of tobacco products from 18 to 21 years. This legislation – known as [Tobacco 21](#) – was effective immediately.

2020

In January, the FDA issued an [enforcement policy on unauthorized flavored cartridge-based e-cigarette products that appeal to kids](#), including fruit and mint flavors.

Call the FDA at 1-877-287-1373 to report sales to minors.

MICHIGAN LAWS



There are currently two laws in Michigan that govern e-cigarettes. Both laws were signed June 5, 2019 and took effect September 2, 2019.

Michigan Public Act 17 of 2019

- Defines "liquid nicotine" and "liquid nicotine container;"
- Requires containers to meet a minimum safety standard; and
- Requires retail vapor products to be stored in a locked case or behind the counter.

Michigan Public Act 18 of 2019

- Defines e-cigarettes, alternative nicotine products, vapor products, and other emerging tobacco products separately from tobacco products;
- Prohibits sale to minors; and
- Prohibits possession and use by minors.

If you have questions on federal rules or Michigan laws related to e-cigarettes, please contact the MDHHS Tobacco Control Program at 517-335-8376.

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