



## STATES & LOCALITIES THAT HAVE RESTRICTED THE SALE OF FLAVORED TOBACCO PRODUCTS

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Cigarettes with specific characterizing flavors, other than menthol, were prohibited in the U.S. on September 22, 2009, as part of the Family Smoking Prevention and Tobacco Control Act (TCA) that gave the U.S. Food and Drug Administration (FDA) authority over tobacco products. In addition to the federal ban on flavored cigarettes, states and localities can implement additional sales restrictions to address menthol cigarettes and flavored non-cigarette tobacco products and their appeal to youth and young adults.

### States

In November 2019, Massachusetts became the first state to restrict the sale of all flavored tobacco products, including menthol cigarettes. In 2020, New Jersey, New York and Rhode Island enacted bans on the sale of flavored e-cigarettes and California became the second state to prohibit the sale of both flavored e-cigarettes and menthol cigarettes.

- **Massachusetts**<sup>2</sup> (effective 11/27/19 for e-cigarettes; 6/1/20 for all other products)
- New Jersey<sup>4</sup> (effective 4/20/20)
- New York<sup>4,7</sup> (effective 5/18/20)
- Rhode Island<sup>4</sup> (effective 3/26/20)
- **California**<sup>6,8,9</sup> (effective 12/21/22)

Two additional states—Maryland and Utah—restrict the sale of some flavored e-cigarettes. Maryland prohibits the sale of all flavored cartridge-based and disposable e-cigarettes except for menthol-flavored products, and Utah prohibits the sale of flavored e-cigarettes in non-retail tobacco specialty businesses, except mint- and menthol-flavored products.

In 2019, eight states—Massachusetts, Michigan, Montana, New York, Oregon, Rhode Island, Utah and Washington—issued emergency rules to temporarily ban the sale of flavored e-cigarettes. As a result of legal challenges, these orders were blocked in Michigan, New York, Oregon and Utah. The Montana and Washington state orders have expired. Massachusetts, New York and Rhode Island later enacted permanent bans.

Prior to the enactment of the Tobacco Control Act, New Jersey had already restricted the sale of flavored cigarettes, excluding menthol and clove flavors. Maine prohibits the sale of flavored non-premium cigars.

### Localities

Over 360 localities have passed restrictions\* on the sale of flavored tobacco products, although laws differ in their application to specific products and store types (see endnotes). At least 170 of these communities—those listed in **bold**—restrict the sale of menthol cigarettes, in addition to other flavored tobacco products.

#### **California (139)**

1. **Adelanto**
2. **Alameda**
3. **Alameda County**<sup>3</sup>
4. **Albany**
5. **Alhambra**
6. **Alturas**
7. Anderson<sup>2,4</sup>
8. **Antioch**
9. Arroyo Grande<sup>4,7</sup>

#### **California (cont'd)**

10. Auburn
11. **Baldwin Park**
12. **Buena Park**<sup>6</sup>
13. **Benicia**
14. **Berkeley**
15. **Beverly Hills**
16. **Burbank**<sup>2</sup>
17. **Burlingame**
18. Calabasas<sup>2</sup>

#### **California (cont'd)**

19. **Capitola**
20. **Carpinteria**
21. **Carson**
22. Cerritos<sup>4</sup>
23. **Chula Vista**<sup>6,8,9</sup>
24. Cloverdale
25. **Compton**<sup>2</sup>
26. **Contra Costa County**<sup>3</sup>
27. **Corte Madera**

**California (cont'd)**

28. **Cudahy**
29. **Culver City<sup>2</sup>**
30. **Cupertino**
31. **Danville<sup>4,7</sup>**
32. **Davis**
33. **Delano**
34. **Dublin**
35. **East Palo Alto**
36. **El Cerrito**
37. **El Monte**
38. **Encinitas<sup>6</sup>**
39. **Fairfax**
40. **Fremont**
41. **Glendale<sup>6,8,9</sup>**
42. **Goleta**
43. **Guadalupe**
44. **Half Moon Bay**
45. **Hayward**
46. **Hermosa Beach**
47. **Hollister**
48. **Imperial Beach**
49. **Lafayette**
50. **Laguna Niguel**
51. **Larkspur**
52. **La Verne<sup>6</sup>**
53. **Livermore**
54. **Long Beach<sup>6,8,9</sup>**
55. **Loomis<sup>4</sup>**
56. **Los Altos<sup>2</sup>**
57. **Los Angeles<sup>6</sup>**
58. **Los Angeles County<sup>3</sup>**
59. **Los Gatos**
60. **Mammoth Lakes**
61. **Manhattan Beach**
62. **Marin County<sup>3</sup>**
63. **Maywood**
64. **Mendocino County<sup>3</sup>**
65. **Menlo Park**
66. **Mill Valley**
67. **Mono County<sup>3</sup>**
68. **Monterey**
69. **Monterey County<sup>3</sup>**
70. **Morgan Hill**
71. **Morro Bay<sup>5</sup>**
72. **Napa<sup>6,8,9</sup>**
73. **Novato**
74. **Oakland**
75. **Orinda**
76. **Oroville**
77. **Oxnard**
78. **Pacifica<sup>6</sup>**
79. **Pacific Grove**
80. **Palmdale<sup>4</sup>**
81. **Palo Alto**
82. **Paradise**
83. **Pasadena**
84. **Petaluma**
85. **Pico Rivera**

**California (cont'd)**

86. **Pinole**
87. **Pleasant Hill<sup>6,8,9</sup>**
88. **Pleasanton**
89. **Portola Valley**
90. **Rancho Cordova<sup>6</sup>**
91. **Redondo Beach<sup>2</sup>**
92. **Redwood City<sup>6</sup>**
93. **Richmond**
94. **Ross**
95. **Sacramento**
96. **Sacramento County<sup>3</sup>**
97. **San Anselmo**
98. **San Benito County<sup>3</sup>**
99. **San Carlos**
100. **San Diego<sup>6,8,9</sup>**
101. **San Diego County<sup>3,6,8,9</sup>**
102. **San Francisco**
103. **San Jose<sup>6,8,9</sup>**
104. **San Juan Batista**
105. **San Leandro**
106. **San Luis Obispo<sup>4,7</sup>**
107. **San Luis Obispo County<sup>3,4,7</sup>**
108. **San Mateo**
109. **San Mateo County<sup>3</sup>**
110. **San Pablo**
111. **San Rafael**
112. **Santa Ana**
113. **Santa Barbara County<sup>3</sup>**
114. **Santa Clara County<sup>3</sup>**
115. **Santa Clarita**
116. **Santa Cruz**
117. **Santa Cruz County<sup>3</sup>**
118. **Santa Maria**
119. **Saratoga**
120. **Sausalito**
121. **Scotts Valley**
122. **Sebastopol**
123. **Solana Beach**
124. **Soledad**
125. **Sonoma<sup>4</sup>**
126. **South San Francisco**
127. **Stanton**
128. **Sunnyvale**
129. **Tiburon**
130. **Ventura**
131. **Ventura County<sup>3,4</sup>**
132. **Walnut**
133. **Walnut Creek<sup>6</sup>**
134. **Watsonville**
135. **West Hollywood<sup>6</sup>**
136. **West Sacramento**
137. **Windsor**
138. **Woodland**
139. **Yolo County<sup>3</sup>**

**Colorado (6)**

1. **Aspen**
2. **Boulder<sup>4</sup>**
3. **Carbondale**
4. **Edgewater**
5. **Glenwood Springs**
6. **Snowmass Village**

**Georgia (1)**

1. **Watkinsville<sup>4</sup>**

**Illinois (2)**

2. **Chicago<sup>1</sup>**
3. **River Forest<sup>4</sup>**

**Maine (4)**

1. **Bangor**
2. **Brunswick**
3. **South Portland**
4. **Portland**

**Massachusetts (168)**

1. **Acton<sup>2</sup>**
2. **Adams<sup>2</sup>**
3. **Agawam<sup>2</sup>**
4. **Andover<sup>2</sup>**
5. **Amherst<sup>2</sup>**
6. **Arlington<sup>2</sup>**
7. **Ashburnham<sup>2</sup>**
8. **Ashby<sup>2</sup>**
9. **Ashland<sup>2</sup>**
10. **Athol<sup>2</sup>**
11. **Attleboro<sup>2</sup>**
12. **Avon<sup>2</sup>**
13. **Ayer<sup>2</sup>**
14. **Barnstable<sup>2</sup>**
15. **Bedford<sup>2</sup>**
16. **Belmont<sup>2</sup>**
17. **Beverly<sup>2</sup>**
18. **Billerica<sup>2</sup>**
19. **Bolton<sup>2</sup>**
20. **Boston<sup>2</sup>**
21. **Braintree<sup>2</sup>**
22. **Brewster<sup>2</sup>**
23. **Brockton<sup>2</sup>**
24. **Brookline**
25. **Buckland<sup>2</sup>**
26. **Cambridge<sup>2</sup>**
27. **Canton<sup>2</sup>**
28. **Carver<sup>2</sup>**
29. **Charlemont<sup>2</sup>**
30. **Charlton<sup>2</sup>**
31. **Chatham<sup>2</sup>**
32. **Chelsea<sup>2</sup>**
33. **Chelmsford<sup>2</sup>**
34. **Clinton<sup>2</sup>**
35. **Cohasset<sup>2</sup>**
36. **Concord<sup>2</sup>**
37. **Conway<sup>2</sup>**

**Massachusetts (cont'd)**

38. Danvers<sup>2</sup>
39. Dedham<sup>2</sup>
40. Deerfield<sup>2</sup>
41. Dracut<sup>2</sup>
42. Duxbury<sup>2</sup>
43. Easthampton<sup>2</sup>
44. E. Longmeadow<sup>2</sup>
45. Easton<sup>2</sup>
46. Edgartown<sup>2</sup>
47. Essex<sup>2</sup>
48. Everett<sup>2</sup>
49. Fairhaven<sup>2</sup>
50. Fitchburg<sup>2</sup>
51. **Framingham**<sup>2</sup>
52. Franklin<sup>2</sup>
53. Gardner<sup>2</sup>
54. Gill<sup>2</sup>
55. Gloucester<sup>2</sup>
56. Grafton<sup>2</sup>
57. Granby<sup>2</sup>
58. Greenfield<sup>2</sup>
59. Groton<sup>2</sup>
60. Hadley<sup>2</sup>
61. Halifax<sup>2</sup>
62. Hamilton<sup>2</sup>
63. **Harvard**<sup>2</sup>
64. **Harwich**<sup>2</sup>
65. Hatfield<sup>2</sup>
66. Haverhill<sup>2</sup>
67. Holbrook<sup>2</sup>
68. Holden<sup>2</sup>
69. Holyoke<sup>2</sup>
70. Hopkinton<sup>2</sup>
71. Ipswich<sup>2</sup>
72. Lancaster<sup>2</sup>
73. Lanesboro<sup>2</sup>
74. Lawrence<sup>2</sup>
75. Leominster<sup>2</sup>
76. Lee<sup>2</sup>
77. Lenox<sup>2</sup>
78. Leverett<sup>2</sup>
79. Littleton<sup>2</sup>
80. Lowell<sup>2</sup>
81. Ludlow<sup>2</sup>
82. **Lynn**
83. Lynnfield<sup>2</sup>
84. **Malden**<sup>2</sup>
85. Marblehead<sup>2</sup>
86. Marion<sup>2</sup>
87. Marlboro<sup>2</sup>
88. Marshfield<sup>2</sup>
89. Mashpee<sup>2</sup>
90. Maynard<sup>2</sup>
91. Medfield<sup>2</sup>
92. Medford<sup>2</sup>
93. Melrose<sup>2</sup>
94. Methuen<sup>2</sup>

**Massachusetts (cont'd)**

95. **Middleboro**<sup>2</sup>
96. Middleton<sup>2</sup>
97. Millis<sup>2</sup>
98. Milton<sup>2</sup>
99. Montague<sup>2</sup>
100. Natick<sup>2</sup>
101. **Needham**<sup>2</sup>
102. Newburyport<sup>2</sup>
103. Newton<sup>2</sup>
104. **Norfolk**<sup>2</sup>
105. North Adams<sup>2</sup>
106. **North Andover**<sup>2</sup>
107. North Attleboro<sup>2</sup>
108. Northampton<sup>2</sup>
109. North Reading<sup>2</sup>
110. Norton<sup>2</sup>
111. Norwell<sup>2</sup>
112. **Norwood**<sup>2</sup>
113. Oak Bluffs<sup>2</sup>
114. Orange<sup>2</sup>
115. Orleans<sup>2</sup>
116. Palmer<sup>2</sup>
117. Peabody<sup>2</sup>
118. Pittsfield<sup>2</sup>
119. Provincetown<sup>2</sup>
120. Reading<sup>2</sup>
121. Rockport<sup>2</sup>
122. Royalston<sup>2</sup>
123. Salem<sup>2</sup>
124. Sandwich<sup>2</sup>
125. Saugus<sup>2</sup>
126. **Sharon**<sup>2</sup>
127. Shelburne<sup>2</sup>
128. Sherborn<sup>2</sup>
129. Shrewsbury<sup>2</sup>
130. **Somerville**<sup>2</sup>
131. Southampton<sup>2</sup>
132. **South Hadley**<sup>2</sup>
133. Spencer<sup>2</sup>
134. Stockbridge<sup>2</sup>
135. Stoneham<sup>2</sup>
136. **Stoughton**<sup>2</sup>
137. Stow<sup>2</sup>
138. Sudbury<sup>2</sup>
139. Sunderland<sup>2</sup>
140. **Swampscott**<sup>2</sup>
141. Templeton<sup>2</sup>
142. Tewksbury<sup>2</sup>
143. Topsfield<sup>2</sup>
144. Townsend<sup>2</sup>
145. Tyngsboro<sup>2</sup>
146. Upton<sup>2</sup>
147. Uxbridge<sup>2</sup>
148. Wakefield<sup>2</sup>
149. **Walpole**<sup>2</sup>
150. Wareham<sup>2</sup>
151. Watertown<sup>2</sup>

**Massachusetts (cont'd)**

152. Webster<sup>2</sup>
153. Wellfleet<sup>2</sup>
154. West Boylston<sup>2</sup>
155. Westboro<sup>2</sup>
156. Westford<sup>2</sup>
157. Westminster<sup>2</sup>
158. Westwood<sup>2</sup>
159. Whately
160. Wilbraham<sup>2</sup>
161. Williamstown<sup>2</sup>
162. Wilmington<sup>2</sup>
163. Winchendon<sup>2</sup>
164. Winchester<sup>2</sup>
165. **Winthrop**
166. Worcester<sup>2</sup>
167. Wrentham<sup>2</sup>
168. Yarmouth<sup>2</sup>

**Minnesota (27)**

1. **Arden Hills**
2. **Bloomington**
3. **Brown's Valley**
4. Dilworth<sup>4</sup>
5. **Duluth**<sup>2</sup>
6. **Edina**
7. **Falcon Heights**<sup>2</sup>
8. **Fridley**<sup>2</sup>
9. **Golden Valley**
10. **Hennepin County**<sup>2,3</sup>
11. **Lauderdale**
12. **Lilydale**
13. **Mendota Heights**
14. **Minneapolis**<sup>2</sup>
15. **Moorhead**
16. New Hope
17. Nobles County<sup>4</sup>
18. Prior Lake<sup>4</sup>
19. Robbinsdale<sup>2</sup>
20. **Roseville**<sup>2</sup>
21. Rushford<sup>2</sup>
22. **Shakopee**
23. St. Louis Park<sup>2</sup>
24. **St. Paul**<sup>2</sup>
25. Shoreview<sup>2</sup>
26. **Traverse County**
27. **Wheaton**

**New Jersey (4)**

1. Hanover Township<sup>4</sup>
2. Jersey City<sup>4</sup>
3. Vineland<sup>4</sup>
4. Westfield<sup>4</sup>

**New York (3)**

1. New York City<sup>2</sup>
2. **Manheim**
3. Yonkers<sup>4</sup>

**Ohio (3)**

1. Bexley<sup>4</sup>
2. Columbus<sup>6</sup>
3. Toledo<sup>4</sup>

**Oregon (2)**

1. **Multnomah County**
2. **Washington County**

**Pennsylvania (1)**

1. Philadelphia<sup>2,5,6</sup>

**Rhode Island (6)**

1. Barrington<sup>2</sup>
2. Central Falls<sup>2</sup>
3. Johnston<sup>2</sup>
4. Middletown<sup>2</sup>
5. Providence<sup>2</sup>
6. Woonsocket<sup>2</sup>

**Washington, DC<sup>6</sup>**

MA localities courtesy of the Municipal Tobacco Control Technical Assistance Program.

\*The above list may not be comprehensive. It includes communities that have passed restrictions, but some have future implementation dates and/or are the subject of litigation.

***Campaign for Tobacco-Free Kids, December 27, 2022 / Laura Bach***

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<sup>1</sup> Chicago's e-cigarette flavor ban is comprehensive, but restrictions on other tobacco products apply only to retailers within 500 feet of high schools and exempt adult-only tobacco retailers

<sup>2</sup> Exempts certain types of retailers, such as tobacco retailers (stores that receive a certain proportion of their revenue from tobacco), tobacco/smoking bars, e-cigarette establishments, adult-only retailers and/or liquor stores.

<sup>3</sup> Applies only to retailers in unincorporated areas of the County.

<sup>4</sup> Flavor restrictions only apply to e-cigarettes.

<sup>5</sup> Exempts smokeless tobacco.

<sup>6</sup> Exempts hookah tobacco and/or hookah bars

<sup>7</sup> Exempts products that have received a marketing order from the FDA. Currently, no e-cigarettes have received a marketing order.

<sup>8</sup> Exempts pipe tobacco

<sup>9</sup> Exempts premium cigars