



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

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.

1. **Massachusetts**² (effective 11/27/19 for e-cigarettes; 6/1/20 for all other products)
2. New Jersey⁴ (effective 4/20/20)
3. New York^{4,7} (effective 5/18/20)
4. Rhode Island⁴ (effective 3/26/20)
5. **California**^{6,8,9} (implementation pending referendum vote)

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

At least 300 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 120 of these communities—those listed in **bold**—restrict the sale of menthol cigarettes, in addition to other flavored tobacco products.

California (100)

1. **Adelanto**
2. **Alameda**
3. **Alameda County**³
4. **Albany**
5. **Alturas**
6. Anderson^{2,4}
7. Arroyo Grande^{4,7}
8. Auburn
9. **Benicia**
10. **Berkeley**
11. **Beverly Hills**
12. **Burbank**²
13. **Burlingame**
14. Calabasas²

California (cont'd)

15. **Capitola**
16. **Carpinteria**
17. **Carson**
18. Cloverdale
19. **Compton**²
20. **Contra Costa County**³
21. **Corte Madera**
22. **Culver City**²
23. **Cupertino**
24. Danville^{4,7}
25. **Davis**
26. **Delano**
27. **Dublin**

California (cont'd)

28. **East Palo Alto**
29. El Cerrito
30. **El Monte**
31. **Encinitas**⁶
32. **Fairfax**
33. **Fremont**
34. **Guadalupe**
35. **Half Moon Bay**
36. **Hayward**
37. **Hermosa Beach**
38. **Imperial Beach**
39. **Lafayette**
40. **Laguna Niguel**
41. **Larkspur**

California (cont'd)

42. **Livermore**
43. Loomis⁴
44. **Los Altos²**
45. **Los Angeles County³**
46. **Los Gatos**
47. **Mammoth Lakes**
48. **Manhattan Beach**
49. **Marin County³**
50. **Maywood**
51. **Menlo Park**
52. **Mill Valley**
53. **Mono County³**
54. **Morgan Hill**
55. Morro Bay⁵
56. Novato
57. **Oakland**
58. **Oroville**
59. **Oxnard**
60. **Pacific Grove**
61. Palmdale⁴
62. **Palo Alto**
63. **Paradise**
64. **Pleasanton**
65. **Portola Valley**
66. **Redondo Beach²**
67. **Richmond**
68. **Sacramento**
69. **San Anselmo**
70. **San Carlos**
71. **San Diego County^{6,8,9}**
72. **San Francisco**
73. San Leandro
74. San Luis Obispo^{4,7}
75. San Luis Obispo County^{3,4,7}
76. **San Mateo**
77. **San Mateo County³**
78. **San Pablo**
79. **San Rafael**
80. **Santa Barbara County³**
81. **Santa Clara County³**
82. **Santa Clarita**
83. **Santa Cruz**
84. **Santa Cruz County³**
85. **Santa Maria**
86. Saratoga
87. **Sausalito**
88. **Sebastopol**
89. **Solana Beach**
90. Sonoma⁴
91. **South San Francisco²**
92. **Tiburon**
93. **Ventura**
94. Ventura County^{3,4}
95. **Watsonville**
96. **West Hollywood⁶**

California (cont'd)

97. **West Sacramento**
98. Windsor
99. Woodland
100. **Yolo County³**

Colorado (5)

1. **Aspen**
2. Boulder⁴
3. **Carbondale**
4. **Glenwood Springs**
5. **Snowmass Village**

Illinois (1)

1. **Chicago¹**

Massachusetts (168)

1. **Acton²**
2. Adams²
3. Agawam²
4. Andover²
5. Amherst²
6. Arlington²
7. Ashburnham²
8. Ashby²
9. **Ashland²**
10. Athol²
11. Attleboro²
12. Avon²
13. Ayer²
14. **Barnstable²**
15. Bedford²
16. Belmont²
17. Beverly²
18. Billerica²
19. Bolton²
20. **Boston²**
21. Braintree²
22. Brewster²
23. Brockton²
24. **Brookline**
25. Buckland²
26. Cambridge²
27. Canton²
28. Carver²
29. Charlemont²
30. Charlton²
31. **Chatham²**
32. Chelsea²
33. Chelmsford²
34. Clinton²
35. Cohasset²
36. Concord²
37. Conway²
38. Danvers²
39. Dedham²
40. Deerfield²
41. Dracut²
42. Duxbury²

Massachusetts (cont'd)

43. Easthampton²
44. E. Longmeadow²
45. Easton²
46. Edgartown²
47. Essex²
48. Everett²
49. Fairhaven²
50. Fitchburg²
51. **Framingham²**
52. Franklin²
53. Gardner²
54. Gill²
55. Gloucester²
56. Grafton²
57. Granby²
58. Greenfield²
59. Groton²
60. Hadley²
61. Halifax²
62. Hamilton²
63. **Harvard²**
64. **Harwich²**
65. Hatfield²
66. Haverhill²
67. Holbrook²
68. Holden²
69. Holyoke²
70. Hopkinton²
71. Ipswich²
72. Lancaster²
73. Lanesboro²
74. Lawrence²
75. Leominster²
76. Lee²
77. Lenox²
78. Leverett²
79. Littleton²
80. Lowell²
81. Ludlow²
82. Lynn²
83. Lynnfield²
84. **Malden²**
85. Marblehead²
86. Marion²
87. Marlboro²
88. Marshfield²
89. Mashpee²
90. Maynard²
91. Medfield²
92. Medford²
93. Melrose²
94. Methuen²
95. **Middleboro²**
96. Middleton²
97. Millis²
98. Milton²
99. Montague²

Massachusetts (cont'd)

100. Natick²
101. **Needham**²
102. Newburyport²
103. Newton²
104. **Norfolk**²
105. North Adams²
106. **North Andover**²
107. North Attleboro²
108. Northampton²
109. North Reading²
110. Norton²
111. Norwell²
112. **Norwood**²
113. Oak Bluffs²
114. Orange²
115. Orleans²
116. Palmer²
117. Peabody²
118. Pittsfield²
119. Provincetown²
120. Reading²
121. Rockport²
122. Royalston²
123. Salem²
124. Sandwich²
125. Saugus²
126. **Sharon**²
127. Shelburne²
128. Sherborn²
129. Shrewsbury²
130. **Somerville**²
131. Southampton²
132. **South Hadley**²
133. Spencer²
134. Stockbridge²
135. Stoneham²
136. **Stoughton**²
137. Stow²
138. Sudbury²
139. Sunderland²

Massachusetts (cont'd)

140. **Swampscott**²
141. Templeton²
142. Tewksbury²
143. Topsfield²
144. Townsend²
145. Tyngsboro²
146. Upton²
147. Uxbridge²
148. Wakefield²
149. **Walpole**²
150. Wareham²
151. Watertown²
152. Webster²
153. Wellfleet²
154. West Boylston²
155. Westboro²
156. Westford²
157. Westminster²
158. Westwood²
159. Whately
160. Wilbraham²
161. Williamstown²
162. Wilmington²
163. Winchendon²
164. Winchester²
165. Winthrop²
166. Worcester²
167. Wrentham²
168. Yarmouth²

Minnesota (18)

1. **Arden Hills**
2. **Duluth**²
3. **Edina**
4. **Falcon Heights**²
5. **Fridley**²
6. **Golden Valley**
7. **Hennepin County**^{2,3}
8. **Lauderdale**
9. **Lilydale**

Minnesota (cont'd)

10. **Mendota Heights**
11. **Minneapolis**²
12. New Hope
13. Robbinsdale²
14. **Roseville**²
15. Rushford²
16. St. Louis Park²
17. **St. Paul**²
18. Shoreview²

Montana (1)

1. Missoula⁴

New Jersey (1)

1. Jersey City⁴

New York (3)

1. New York City²
2. **Manheim**
3. Yonkers⁴

Pennsylvania (1)

1. Philadelphia^{2,5,6}

Rhode Island (6)

1. Barrington²
2. Central Falls²
3. Johnston²
4. Middletown²
5. Providence²
6. Woonsocket²

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, February 16, 2021 / Laura Bach

¹ 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

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

³ Applies only to retailers in unincorporated areas of the County.

⁴ Flavor restrictions only apply to e-cigarettes.

⁵ Exempts smokeless tobacco.

⁶ Exempts hookah tobacco

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

⁸ Exempts pipe tobacco

⁹ Exempts premium cigars