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. The policy goes into effect June 1, 2020, with the exception of flavored e-cigarettes, which were banned immediately (they had already temporarily been banned per an emergency order issued 9/24/19). In January 2020, New Jersey enacted legislation banning the sale of all flavored e-cigarettes.

1. Massachusetts\(^2\) (effective 6/1/20)
2. New Jersey\(^4\) (effective 4/20/20)

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. These rules have faced legal challenges and are currently in effect in only three states—Massachusetts, Rhode Island and Washington.

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 250 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 80 of these communities—those listed in **bold**—restrict the sale of menthol cigarettes, in addition to other flavored tobacco products.

<table>
<thead>
<tr>
<th>California (59)</th>
<th>California (cont’d)</th>
<th>California (cont’d)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Alameda County(^3)</td>
<td>19. Fairfax</td>
<td>37. Portola Valley</td>
</tr>
<tr>
<td>3. Albany</td>
<td>20. Fremont</td>
<td>38. Redondo Beach(^2)</td>
</tr>
<tr>
<td>5. Auburn</td>
<td>22. Hayward(^1)</td>
<td>40. Sacramento</td>
</tr>
<tr>
<td>8. Burbank(^2)</td>
<td>25. Laguna Niguel</td>
<td>43. San Francisco</td>
</tr>
<tr>
<td>10. Capitola</td>
<td>27. Livermore</td>
<td>45. San Mateo County(^3)</td>
</tr>
<tr>
<td>11. Carson</td>
<td>28. Los Angeles County(^3)</td>
<td>46. San Pablo</td>
</tr>
<tr>
<td>12. Cloverdale</td>
<td>29. Los Gatos(^2)</td>
<td>47. San Rafael</td>
</tr>
<tr>
<td>13. Contra Costa County(^1,3)</td>
<td>30. Manhattan Beach</td>
<td>48. Santa Barbara County(^3)</td>
</tr>
<tr>
<td>14. Corte Madera</td>
<td>31. Marin County(^3)</td>
<td>49. Santa Clara County(^2,3)</td>
</tr>
<tr>
<td>15. Culver City(^2)</td>
<td>32. Menlo Park</td>
<td>50. Santa Cruz</td>
</tr>
<tr>
<td>16. Cupertino</td>
<td>33. Mono County(^3)</td>
<td>51. Santa Cruz County(^3)</td>
</tr>
<tr>
<td>17. Delano</td>
<td>34. Novato</td>
<td>52. Saratoga</td>
</tr>
<tr>
<td>States &amp; Localities with Flavored Tobacco Restrictions / 2</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**California (cont’d)**  
53. Sausalito  
54. Sonoma  
55. **South San Francisco**  
56. Watsonville  
57. West Hollywood  
58. Windsor  
59. **Yolo County**  

**Colorado (5)**  
1. Aspen  
2. Boulder  
3. Carbondale  
4. Glenwood Springs  
5. Snowmass Village  

**Illinois (1)**  
1. **Chicago**  

**Massachusetts (168)**  
1. Acton  
2. Adams  
3. Agawam  
4. Andover  
5. Amherst  
6. Arlington  
7. Ashburnham  
8. Ashby  
9. **Ashland**  
10. Athol  
11. Attleboro  
12. Avon  
13. Ayer  
14. **Barnstable**  
15. Bedford  
16. Belmont  
17. Beverly  
18. Billerica  
19. Bolton  
20. **Boston**  
21. Braintree  
22. Brewster  
23. Brockton  
24. **Brookline**  
25. Buckland  
26. Cambridge  
27. Canton  
28. Carver  
29. Charlestown  
30. Chariton  
31. **Chatham**  
32. Chelsea  
33. Chelmsford  
34. Clinton  
35. Cohasset  
36. Concord  
37. Conway  
38. Danvers  
39. Dedham  

**Massachusetts (cont’d)**  
40. Deerfield  
41. Dracut  
42. Duxbury  
43. Easthampton  
44. E. Longmeadow  
45. Easton  
46. Edgartown  
47. Essex  
48. Everett  
49. Fairhaven  
50. Fitchburg  
51. **Framingham**  
52. Franklin  
53. Gardner  
54. Gill  
55. Gloucester  
56. Grafton  
57. Granby  
58. Greenfield  
59. Groton  
60. Hadley  
61. Halifax  
62. Hamilton  
63. **Harvard**  
64. **Harwich**  
65. Hatfield  
66. Haverhill  
67. Holbrook  
68. Holden  
69. Holyoke  
70. Hopkinton  
71. Ipswich  
72. Lancaster  
73. Lanesboro  
74. Lawrence  
75. Leominster  
76. Lee  
77. Lenox  
78. Leverett  
79. Littleton  
80. Lowell  
81. Ludlow  
82. Lynn  
83. Lynnfield  
84. **Malden**  
85. Marblehead  
86. Marion  
87. Marlboro  
88. Marshfield  
89. Mashpee  
90. Maynard  
91. Medfield  
92. Medford  
93. Melrose  
94. Methuen  
95. **Middleboro**  
96. Middleton  
97. Millis  
98. Milton  
99. Montague  
100. Natick  
101. Needham  
102. Newburyport  
103. Newton  
104. **Norfolk**  
105. North Adams  
106. **North Andover**  
107. North Attleboro  
108. Northampton  
109. North Reading  
110. Norton  
111. Norwell  
112. **Norwood**  
113. Oak Bluffs  
114. Orange  
115. Orleans  
116. Palmer  
117. Peabody  
118. Pittsfield  
119. Provincetown  
120. Reading  
121. Rockport  
122. Royalston  
123. Salem  
124. Sandwich  
125. Saugus  
126. Sharon  
127. Shelburne  
128. Sherborn  
129. Shrewsbury  
130. **Somerville**  
131. Southampton  
132. **South Hadley**  
133. Spencer  
134. Stockbridge  
135. Stoneham  
136. **Stoughton**  
137. Stow  
138. Sudbury  
139. Sunderland  
140. **Swampscott**  
141. Templeton  
142. Tewksbury  
143. Topsfield  
144. Townsend  
145. Tyngsboro  
146. Upton  
147. Uxbridge  
148. Wakefield  
149. **Walpole**  
150. Wareham  
151. Watertown  
152. Webster  
153. Wellfleet
### Massachusetts (cont’d)
154. West Boylston
155. Westboro
156. Westford
157. Westminster
158. Westwood
159. Whately
160. Wilbraham
161. Williamstown
162. Wilmington
163. Winchendon
164. Winchester
165. Winthrop
166. Worcester
167. Wrentham
168. Yarmouth

### Minnesota (cont’d)
5. Lilydale
6. Mendota Heights
7. Minneapolis
8. Robbinsdale
9. St. Louis Park
10. St. Paul
11. Shoreview

### Michigan (11)
1. Arden Hills
2. Duluth
3. Falcon Heights
4. Lauderdale

### New Jersey (1)
1. Jersey City

### New York (3)
1. New York City
2. Manheim
3. Yonkers

### Pennsylvania (1)
1. Philadelphia

### Rhode Island (6)
1. Barrington
2. Central Falls
3. Johnston
4. Middletown
5. Providence
6. Woonsocket

MA localities courtesy of the Municipal Tobacco Control Technical Assistance Program. As of December 3, 2019 these policies cover over 66% of the state’s population.

*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.

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1. Applies only to retailers within a certain distance of schools and/or youth-oriented facilities.
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.