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.

1. **Massachusetts** (effective 11/27/19 for e-cigarettes; 6/1/20 for all other products)
2. New Jersey (effective 4/20/20)
3. New York (effective 5/18/20)
4. Rhode Island (effective 3/26/20)

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. 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 270 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 100 of these communities—those listed in **bold**—restrict the sale of menthol cigarettes, in addition to other flavored tobacco products.

### California (78)

1. Adelanto
2. Alameda
3. Alameda County
4. Albany
5. Alturas
6. Auburn
7. Benicia
8. Berkeley
9. Beverly Hills
10. Burbank
11. Burlington
12. Carpinteria
13. Capitola
14. Carson
15. Cloverdale
16. Compton
17. Contra Costa County
18. Corte Madera
19. Culver City
20. Cupertino
21. Davis
22. Delano
23. Dublin
24. East Palo Alto
25. El Cerrito
26. El Monte
27. Fairfax
28. Fremont
29. Half Moon Bay
30. Hayward
31. Hermosa Beach
32. Imperial Beach
33. Lafayette
34. Laguna Niguel
35. Larkspur

### California (cont’d)

36. Livermore
37. Long Beach
38. Los Altos
39. Los Angeles County
40. Los Gatos
41. Manhattan Beach
42. Marin County
43. Menlo Park
44. Mono County
45. Morgan Hill
46. Novato
47. Oakland
48. Oroville
49. Oxnard
50. Pacific Grove
51. Palo Alto
52. Portola Valley
53. Redondo Beach

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* States & Localities that have restricted the sale of flavored tobacco products.
California (cont’d)
54. Richmond
55. Sacramento
56. San Anselmo
57. San Carlos
58. San Diego County
59. San Francisco
60. San Leandro
61. San Mateo County
62. San Pablo
63. San Rafael
64. Santa Barbara County
65. Santa Clara County
66. Santa Clarita
67. Santa Cruz
68. Santa Cruz County
69. Santa Maria
70. Saratoga
71. Sausalito
72. Sonoma
73. South San Francisco
74. Watsonville
75. West Hollywood
76. West Sacramento
77. Windsor
78. 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

Massachusetts (cont’d)
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
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. Hattfield
66. Haverhill
67. Holbrook
68. Holden
69. Holyoke
70. Hopkinton
71. Ipswich
72. Lancaster
73. Lakeshore
74. Lawrence
75. Leominster
76. Lee

Massachusetts (cont’d)
77. Lenox
78. Leominster
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
<table>
<thead>
<tr>
<th>Massachusetts (cont’d)</th>
<th>Massachusetts (cont’d)</th>
<th>New York (3)</th>
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<td>134. Stockbridge²</td>
<td>160. Wilbraham²</td>
<td>1. New York City²</td>
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<td>136. Stoughton²</td>
<td>162. Wilmington²</td>
<td>3. Yonkers¹</td>
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<td>137. Stow²</td>
<td>163. Winchendon²</td>
<td>Pennsylvania (1)</td>
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<td>139. Sunderland²</td>
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<td>159. Whately</td>
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</tbody>
</table>

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.

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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.
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.